

COMMISSION D'ENQUETE SUR  
LE RECOURS AUX DROGUES ET AUX PRATIQUES  
INTERDITES POUR AMELIORER LA  
PERFORMANCE ATHLETIQUE

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AUDITION TENUE AU HOLIDAY INN  
SALLE AMBASSADEUR C  
420 SHERBROOKE OUEST  
MONTREAL, QUEBEC  
LE 9 FEVRIER 1989

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VOLUME 15

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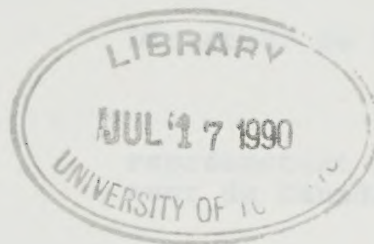
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L'HONORABLE CHARLES LEONARD DUBIN

NETWORK COURT REPORTING LTD.



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PROCUREURS:

5	Me R. ARMSTRONG, C.R. Me M. PROULX, C.R. Me KIRBY CHOWN Me NUNN	représentant la Commission  Directeur de la recherche
	Me E. R. SOJONKY, C.R. Me A. PREFONTAINE	représentant le Gouverne- ment du Canada
10	Me J. SILCOFF Me M. TRUDEL	représentant A. Kulesza
	Me A. LUTFY, C.R.	représentant Canadian Weightlifting Federation
15	Me R.S. McCREATH, C.R. Me R. L. FALBY, C.R.	représentant Canadian Olympic Association
	Me R. MORROW	Sport Medicine Council
20	Me D. CAISSE	représentant J. Demers, D. Bolduc et L. Payer

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5	99: Book of documents concerning the Federation, and its officials, and anti-doping policies.	2688
	100: Documents covering the period 1983 to 1985.	2689

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--- Upon resuming at 10:00.

The Commissioner: Mr. Proulx.

Me PROULX: Mr. Commissioner, as I informed you yesterday, I would like to call, at the request of Mr. Kulesza's lawyer, I would like to call Mr. Campion as the next witness.

The Commissioner: Thank you.

RICHARD CAMPION, sworn.

--- DIRECT EXAMINATION BY Me PROULX:

Q. So, your name is Campion?

A. That's right.

Q. And I understand that, in the years 1979 to 1985, you were a permanent officer of the Canadian Weightlifting Federation.

A. Permanent employee.

Q. Could you describe to the Commissioner exactly what was the nature of your functions?

A. Well, as Technical Director, I was responsible for three (3) main areas of activity: officials, coaches --

THE COMMISSIONER: The first part, I'm sorry, I didn't quite --





THE WITNESS: As Technical Director of the Canadian Weightlifting Federation, there were three main areas where I worked. The first was officials, and then, coaches and athletes.

5 THE COMMISSIONER: Coaches and athletes.

THE WITNESS: Officials, coaches, athletes, three (3) areas essentially.

THE COMMISSIONER: Well, what else is there?

10 THE WITNESS: Well, in the technical end, there is not too much else. And essentially, my role was first off to analyze the situation in the Federation in 1979, the technical situation, see where there were places that had to be developed, improved, recommend improvements, programs, implement --

15 THE COMMISSIONER: What is your expertise before? What did you do, before you found this job? Give us a little more about you.

20 THE WITNESS: Well, in the world of weightlifting, I was Secretary-Treasurer of the Québec Federation from 1971 to 1972 or 1973; President of the Québec Federation from 1974 to 1977; Vice-President Technical of the Canadian Weightlifting Federation from 1977 to 1979. I was a coach and an official during those years. And previous to that, of course, I was an athlete.

25 THE COMMISSIONER: From 1977 to 1979, I



didn't quite get that.

THE WITNESS: Vice-President of the Canadian Weightlifting Federation, Vice-President Technical.

THE COMMISSIONER: Of the Canadian Weightlifting Federation.

5

THE WITNESS: Yes.

THE COMMISSIONER: So, you actually joined the Canadian Weightlifting Federation in 1977.

THE WITNESS: No, I was a member of the Canadian Weightlifting Federation when I was an athlete.

10

THE COMMISSIONER: Well, I am confused, and it is my fault. What were you doing --

THE WITNESS: Well, if I am an athlete competing in Québec, I am --

15

THE COMMISSIONER: From 1977 to 1979, what were you doing?

THE WITNESS: I was Vice-President Technical of the Canadian Weightlifting Federation. Previous to that, I was President of the Québec Weightlifting Federation, and automatically, a member of the Canadian Weightlifting Federation.

20

THE COMMISSIONER: When did you cease being an athlete?

THE WITNESS: Oh, around 1971.

25

THE COMMISSIONER: Alright, thank you. Go





ahead, Mr. Proulx.

Me PROULX: During these three (3) years, what were essentially your main preoccupations, your main activities?

5 THE COMMISSIONER: It was six (6) years, from 1979 to 1985.

Me PROULX: Yes, six (6) years, I'm sorry.

A. Well, my main activities were to set up technical programs, in order to improve weightlifting in Canada on every level, every level concerning weightlifting, from the basics to the elite level. And that meant analyzing the situation, as I said, proposing recommendations which included mostly programs, and then, evaluating the programs, controlling the programs, making reports, fine-tuning, and everything concerning technical programs.

10

15

Q. Would that be done in cooperation with other members of the Federation?

A. Well, for sure. First off, I had to have the authority from the Board of Directors to do these things. And then, I set up a technical commission, which was composed of officials, athletes, and coaches. For the technical commission, we did a lot of work. I was the main administrator of the product.

20

And on the officials' programs, I would work with the Chairman of the Officials' Committee. On coaching

25





programs, I would work with the Chairman - the official of the Coaches' Committee, at the time. And that is the way it worked. I was the staff, but I had to work with the volunteers to implement programs and to realize the programs.

Q. Now, in 1982, you had the occasion to meet Mr. Andrzej Kulesza outside Canada.

A. 1983.

Q. Was it 1983 or 1982? I thought you told me before, when I met you, that it was in 1982, but I may be making a mistake.

A. No, spring of 1983, if I can recall correctly.

Q. Before that, did the Canadian Weightlifting Federation have a permanent coach, or were they on volunteers?

A. They were only volunteers. The only permanent staff we had was an Executive Director and a Technical Director. All of the coaches were volunteer coaches. In their real lives, they did something else, but on spare time, they coached weightlifting. Some of them might have received the stipend from their clubs or from some organization, but they were not employees of the Canadian Weightlifting Federation. They were all volunteers.



Q. Now, could you tell the Commissioner when, at the level of the Federation, the decision was made to look for a permanent coach or a National coach?

5 A. Well, it happened after the Commonwealth Games in 1982 in Brisbane, to prepare for the Commonwealth Games in 1982. By then, I had been Technical Director for three (3) years. And we had some fairly sophisticated technical programs in place, including long training camps in the summertime, at which I invited the best athletes and their coaches, their personal coaches,  
10 who were, of course, all volunteers.

At these training camps, we got together to improve training methods, to observe the athletes together in a training environment, and to choose athletes who would  
15 eventually be on the team.

And after the Commonwealth Games in Brisbane, the two (2) coaches who were there, both volunteers, at a meeting of the Coaches' Committee that was held afterwards, said that it was clear that the demands placed on the coach for modern sport performance were impossible to meet by  
20 volunteer coaches, and that we had to get a full-time coach if we intended to continue in elite international competitions. And so, from that recommendation, we started looking around to hire a full-time coach.

25 Q. I understand you had a mandate to look





for candidates?

5                   A.       Yes, we advertised in Canadian newspapers. And I was a member of the International Weightlifting Federation's Scientific and Research Committee. And my committee had organized a scientific coaching conference in Varna, Bulgaria. I was one of the organizers. And while there, I met all my contacts in weightlifting, and let everyone know that we were looking for a full-time coach in Canada, asked coaches and people I  
10                   knew from various countries to have C.V.'s sent. And Andrzej was one of the persons who sent in a C.V. and a letter of application.

                  Q.       Was that in the spring of 1983?

                  A.       Yes.

15                   Q.       That meeting in Varna, Bulgaria?

                  A.       I met a lot of people in Varna, not just Andrzej.

                  Q.       No, but I mean --

                  A.       Yes.

20                   Q.       The meeting you were referring to is-

-

                  A.       Yes, at the symposium.

                  Q.       That's right. And you received from Andrzej Kulesza his C.V.

25                   A.       Yes.



Q. And eventually, did you or did the Federation invite Andrzej Kulesza and others to a special meet here in Canada?

5 A. Well, we short-listed the list of candidates, and the short-listed candidates were invited to come to our summer training camp in the summer of 1983, preparing for the Pan-American Games in Caracas. These short-listed coaches were sent some information, and I expected them to do some research, and to come with some  
10 ideas.

And the idea was for them to work with Canadians in a Canadian training camp with our volunteer coaches, with whom they would have to collaborate as paid full-time coaches, and to see how they worked with our  
15 athletes, to see how they worked with the coaches, to see how they were received, to see what the level of expertise was. And so, that is where we made our selection, at the camp.

Q. Could you tell us who was on the short  
20 list? Who, in fact, was invited, and who came?

A. Andrzej Kulesza was on the short list; Gregory Goldstein, originally a Soviet, living in New York; Angel Spasov, a weightlifting professor from Bulgaria. Those were the three (3) finalists on the short  
25 list. Spasov didn't make it to the camp. He couldn't get



a visa. So, we had two (2) people.

Q. So, this man Gregory and Andrzej Kulesza --

A. Yes.

5 Q. They both came to the camp, to the training camp, I understand it was at Lac St-Denis?

A. Yes, CFB Lac St-Denis.

Q. And this was in the summer of 1983, at the training camp, before the Commonwealth Games.

10 A. Pan-American Games.

Q. Pan-American Games, I'm sorry.

A. In Caracas.

Q. Which eventually were held in Caracas.

A. That's right.

15 Q. Now, you said that these two (2) candidates would work in cooperation with your volunteer coaches.

A. Yes.

20 Q. Who were then - do you remember who they were, at the time?

A. Well, the coaches at these training camps would be the personal coaches of athletes on the National Squad. There was a core of volunteer coaches, who continually had athletes on the Squad. And occasional-  
25 ly, there would be a coach who had an athlete, who would





stay on for awhile, and drop off. So, he would drop off with him. But do you want the names of these volunteer coaches?

Q. Well, do you remember Mr. Zuffellato?

5 A. Oh, Ralph Zuffellato.

Q. Aldo Roy?

A. No, Aldo - yes, Aldo was there, Aldo Roy, yes.

Q. Was Pierre Roy there?

10 A. Yes, Ron Greavette, Normand Menard, there were at least a half a dozen volunteer coaches.

Q. Now, once this training camp was over, was the decision made at the level of the Federation, as to who should be hired as the National coach?

15 A. Yes.

Q. Could you tell the Commissioner how this decision was made, and when it was made?

20 A. Well, we had a selection committee mandated by the Federation, and the decision was made right at the training camp. Before it was over, we announced the decision.

Q. Alright.

25 A. And the selection committee was made up of me; I believe Keith Nesbitt was on the committee; Don Buchanan, Vice-President Technical; Bill Heikkila from



Sport Canada; Paul Patterson from the Coaching Association of Canada; and you told me yesterday that Pierre Roy was on the committee, too. I don't remember whether he was or not. But there were a half a dozen people there.

5 Q. And who was hired?

A. Andrzej Kulesza.

Q. Was there a contract, a written contract, which --

10 A. Oh, yes, yes, eventually, not right away, but eventually he had a contract, yes.

Q. Eventually, but not at the training camp.

A. No.

15 Q. If he was hired at the time, did he go to Caracas, to your knowledge?

A. No, he didn't, because we had already decided that we would have two (2) volunteer coaches there.

20 THE COMMISSIONER: Where did you get the funds to pay the coach?

25 THE WITNESS: Well, Bill Heikkila was our Association Management Unit consultant, and it had been agreed that Sport Canada would fund a full-time National coach in weightlifting. We wouldn't proceed without the funds, of course. We had the promise.





THE COMMISSIONER: So, it was Sport Canada who funded the coaching.

THE WITNESS: Yes.

THE COMMISSIONER: They provided the funds  
5 for the coach.

THE WITNESS: Yes.

Me PROULX: So, it was agreed, you said, that Mr. Kulesza would not go to Caracas.

A. No, the two (2) volunteer coaches had  
10 already been chosen. There was Aldo Roy and - I forget. Was it Ron Greavette or Ralph Zuffellato? I am not sure, but Aldo, for sure. They were to accompany the team.

Q. So, to your knowledge, Mr. Kulesza went to look after his own things, I assume.

A. Well, after the training camp was  
15 over, everybody went back home. Andrzej had to find a place to live. He stayed in Ottawa for a few weeks. Then, he had to move to Montreal, find a place to live, get organized, get a visa, go down to Buffalo to apply for a  
20 Canadian immigration from outside the country. And a lot of administrative things had to be taken care of.

THE COMMISSIONER: Where was Mr. Kulesza living, at that time, before, when he came to the training camp? Was he outside the country?

25 THE WITNESS: At the training camp, well, he



was in Warsaw.

THE COMMISSIONER: In Poland.

THE WITNESS: Yes.

THE COMMISSIONER: We never heard that.

5 Me PROULX: Do I understand that the first time you met Andrzej Kulesza was at that conference on April 8, 1983, in Varna, Bulgaria?

A. Yes.

10 Q. And do I understand that, at that conference, you heard a conference presented by Mr. Kulesza?

A. Yes.

THE COMMISSIONER: A paper, a conference.

Me PROULX: You heard a --

A. A paper, yes.

15 Q. You heard Mr. Kulesza as a speaker at the conference?

A. He was one of the lecturers.

Q. Alright. He gave a paper?

A. Yes.

20 Q. Do you remember what was the topic?

A. It was about selection of young athletes for weightlifting.

25 Q. Do you remember more specifically if, at this time, Mr. Kulesza, in that same lecture, referred to the testosterone level of athletes during training



camp?

5           A.       Yes, I believe he did, and he said that they found out that athletes, who succeeded in weightlifting, had higher testosterone levels than most people, if memory serves me right. But there were a lot of other things in his presentation. That was only one (1) small thing.

          Q.       Well, do you remember what were the other aspects?

10           A.       Well, he talked about exercises that you should have athletes do, to measure their abilities in various aspects of physical development, and then, some certain kind of training that should be done for younger athletes, how they should be brought into the sport through general training back into specific. It was fairly complex.

15           Q.       To the best of your knowledge, Mr. Kulesza then made all his arrangements. And do you remember if, in fact, he started to work as the National coach in October, 1983? Would that be fair?

20           A.       Around October, yes, because you must realize that while we had designated the Centre Claude Robillard as the National high performance centre, this was a wish. It didn't exist in fact, in reality quite yet. And part of Andrzej's job, to his perhaps chagrin,

25





was that he had to really organize the physical training centre.

THE COMMISSIONER: At the Robillard Centre?

5 THE WITNESS: Yes, because they just had a big weight training room, full of body builders and general trainees. And Andrzej had to go in, and he had to negotiate space, and he had to negotiate times, and he had to visit the people in the centre, and get the place cleaned up and every other thing. He was --

10 Me PROULX: You are saying to us that, at this time, the Centre Claude Robillard was not the National training camp for the weightlifters, right?

A. It was designated as the National --

15 Q. It was designated, but it was not in fact.

A. No, he had to make it so.

THE COMMISSIONER: Is that funded also by Sport Canada, or by the Federation?

20 THE WITNESS: Well, the Centre Claude Robillard is funded by the City of Montreal.

THE COMMISSIONER: The Federation, as such, is funded by Sport Canada.

THE WITNESS: Sport Canada.

25 THE COMMISSIONER: Right. And in addition to the funding, arrangements were made to provide funding for



a full-time professional coach.

THE WITNESS: Sport Canada agreed to fund a full-time National coach, yes.

5 THE COMMISSIONER: And what about the facilities at the Robillard Centre?

10 THE WITNESS: Well, at the Robillard Centre, we negotiated with the City of Montreal, with the Québec Weightlifting Federation, which supplied some administrative help to Andrzej, and the City of Montreal, which supplied the building and the equipment. So, there were several levels of government and organizations involved here. It was not a one (1) man show.

THE COMMISSIONER: Would the coach's remuneration be solely --

15 THE WITNESS: Solely by the Canadian Weightlifting Federation.

THE COMMISSIONER: And not supplemented by the Québec Federation, in any way?

20 THE WITNESS: Not as far as I know. We paid his --

THE COMMISSIONER: His salary. Alright, thank you. Go ahead, Mr. Lutfy.

25 Me LUTFY: Mr. Commissioner, I propose to file, in due course, financial statements of the Canadian Weightlifting Federation for the past number of years,





which may be of assistance to you on those kinds of questions.

THE COMMISSIONER: Thank you.

Me PROULX: Now, I am sure you remember, Mr. Campion, that, in the fall of 1983, a few months after the Caracas Games, the Government of Canada, through Sport Canada, enacted a clear anti-doping policy, and involved all the federations in a program of doping control. I am sure you --

A. Hmm-Hmm.

Q. Yes, you must remember that as a very strategic important date in the history of doping control.

A. Well, that was certainly the time when people realized there was a problem, that we had been underlining for ten (10) years almost. They finally believed us in 1983. So, it was pretty important, yes.

Q. You mean to say they finally believed you?

A. Yes.

Q. You mean to say that you had previously, in the past ten (10) years, denounced it?

A. That's what I mean to say, maybe not ten (10) years, but seven (7) years.

Q. And you are saying that somebody did not answer your recommendations or your complaints?



A. Well, they answered, but not to my satisfaction obviously, because we had no doping controls till 1983.

5 Q. But what did you do at your level, before the Caracas Games?

A. Well, in 1976, I was President of the Québec Weightlifting Federation. And as you might recall, the Montreal Olympic Games were held that summer. With my Technical Director, at the time, Mr. Claude Ranger, I went  
10 to the General Director of Mission Québec 76, which was the best ever program for Québec athletes, Mr. Michel Bédard, and asked him for money to do anti-doping controls in Québec weightlifters, because it was in the rule book. He didn't have any money for it.

15 So, we didn't do any doping controls through Mission Québec 76. The Haut Commissariat à la Jeunesse Aux Sports et Aux Loisirs didn't have money for doping controls, either. The Canadian Weightlifting Federation, as you will see from correspondence, had tried to get money  
20 from Sport Canada in its budgets for doping controls, but Sport Canada had no budget, had no, as they call it, envelope for doping controls.

We were the only federation asking for money for doping controls. And there was no money in any  
25 government funding agency for doping controls. So, the



Canadian Weightlifting Federation, with its limited resources, was obviously unable to fund doping controls on its own. And we were thus frustrated in our demands to get doping controls, but we got them in 1983.

5                   Q.       Just after Caracas, as a matter of fact, within maybe two (2) months, do you remember the incident where four (4) weightlifters were --

                  THE COMMISSIONER: Well, can I go back over that? Some of the weightlifters went to Russia.

10                  THE WITNESS: What weightlifters?

                  Me PROULX: Jacques Demers, Mario Parente --

                  A.       Yes, okay, after the --

                  Q.       Mr. Pietracupa --

                  A.       For the World Championships, yes.

15                  Q.       And Terry Hadlow.

                  A.       Yes, they went to the Soviet Union, yes.

                  THE COMMISSIONER: The four (4) went, I think, and Mr. Kulesza went with them.

20                  THE WITNESS: Yes.

                  THE COMMISSIONER: How was that organized? Did you organize that trip? That would be part of your function, I guess, would it?

                  THE WITNESS: Well, after the Caracas Games, 25       the athletes, of course, went home, and the coaches all





went home. And then, we decided to send a small team to the World Championships.

THE COMMISSIONER: In Moscow?

5 THE WITNESS: In the Soviet Union, yes. They ended up being in Moscow. They were supposed to be Yenevan, but they were changed at the last minute to Moscow.

THE COMMISSIONER: Yes.

10 THE WITNESS: And Andrzej, as National coach, accompanied these athletes as his first official competition function.

THE COMMISSIONER: Right.

15 THE WITNESS: But the athletes were - they came from different places, and they were not necessarily training with him full time before they went. They met for a couple of days before, and they got together and went over what was going to happen, and then, they left. That was his first time, yes.

20 Me PROULX: And do you remember what happened when they returned from Moscow?

A. Yes, I read about it in the papers.

25 Q. And beside learning about it from the newspapers, did you - at your level, was any inquiry made about this situation? Do you know what happened with them? Were any sanctions --



A. Well, you will see in the correspondence that the executive took a tele-conference, a telephone conference call, and they decided to apply sanctions at the time.

5 Q. Which were?

THE COMMISSIONER: The Canadian Federation?

THE WITNESS: The Canadian Weightlifting Federation, yes.

10 THE COMMISSIONER: What sanctions were imposed? We haven't heard about them.

THE WITNESS: Well, they suspended them for three (3) months.

THE COMMISSIONER: Oh, yes, we have heard of that.

15 THE WITNESS: The Québec Federation, I think, suspended the athletes for six (6) months, at the time. So, the provincial and the national bodies both took action.

20 THE COMMISSIONER: A three (3) months' suspension?

THE WITNESS: Yes, and I hear people laughing, but --

THE COMMISSIONER: Well, don't mind that.

THE WITNESS: I don't mind. The reason --

25 THE COMMISSIONER: They may be responding to



your rather flippant attitude, if I may say so.

THE WITNESS: The three (3) months doesn't seem like very long, but if you look at the conference, you will see that it was a three (3) month suspension, but  
5 subject to review. And this was a very strange situation, because in this instance, these athletes had broken a law of Canada. And they were under - I don't know whether it is indictment or what you say --

THE COMMISSIONER: But also they had broken  
10 your rules.

THE WITNESS: No, because the rules did not talk about importation.

THE COMMISSIONER: No, no, they had possession of twenty thousand (20,000) pills.

15 THE WITNESS: In the rule book in 1983, there was nothing in the rule book about possession.

THE COMMISSIONER: I see.

THE WITNESS: Things developed in sport, and the first sanctions were for --

20 THE COMMISSIONER: Well, in October, 1983, if you would walk into a locker room, and see somebody in a locker have bottles and bottles of anabolic steroids, and you would take no action. Is that what you are saying?

25 THE WITNESS: I don't know if I would take action. But the rules were clear that --





THE COMMISSIONER: I thought the rule was you could not have anabolic steroids. You couldn't use them.

THE WITNESS: Well, the rule book today, but we are going back to 1983. The rule book for the International Weightlifting --

THE COMMISSIONER: Well, I thought you said, for ten (10) years, you were concerned about the problem because it was against the rules.

THE WITNESS: That's right.

THE COMMISSIONER: And against the rules was to use anabolic steroids.

THE WITNESS: That's right.

THE COMMISSIONER: And you can't use anabolic steroids, unless you first have possession of anabolic steroids.

THE WITNESS: So, we sanctioned these athletes.

THE COMMISSIONER: I see.

THE WITNESS: These athletes were sanctioned. The sanction may not have been as long as it could have been, but the Board was in a very difficult situation, because these athletes were before a Court for a criminal action.

THE COMMISSIONER: Well, that is not --

THE WITNESS: They were innocent, until



proven guilty. And they got - I don't know where they got advice from, but they --

THE COMMISSIONER: That has nothing to do with your own rules, that is a criminal process.

5 THE WITNESS: Well, you will have to ask the Board of Directors, because I was an employee, and I didn't make any decisions.

THE COMMISSIONER: Well, go ahead, Mr. Proulx.

10 Me PROULX: Now, you said that as of 1983, after Caracas, you were provided with the necessary funds to implement an anti-doping program.

A. A doping control program, that's right.

15 Q. So, do you remember special measures, which were taken at the level of the Canadian Weightlifting Federation, as to testing, as to when testing should be done?

20 A. Well, when we started out, we started testing at various competitions and training camps. In other words, we started testing in those areas where we could get people together, who had the expertise to do the testing. We had to form officials for doping controls procedures. And there were no doping control procedures.

25 So, we had to - with the Sport Medicine



Council of Canada, we had to develop doping control procedures. We had to get kits in Canada with the bottles, and the vials, and the sealing mechanisms, and everything else that is necessary. We had to train people in how to give doping control, how to do doping control tests.

So, it took quite a bit of administrative work, and it took quite a bit of planning, but it started.

Q. How much time do you think it took to, I would say, if I can use this word, for the apprenticeship or to learn how to proceed in - to have efficient control?

A. Well, it took a little bit of time. But you see, some of our officials, who had been in international competitions, had perhaps observed international doping controls previous to this. But every country has a bit of a different mechanical system to do it. In Canada right now, for example, we use plastic jars with screw tops. In some European countries, they use a glass bottle with a sealed metal lead top. In others, they use a wax thing.

So, the Sport Medicine Council of Canada had the responsibility of getting the kits together. And until the exact mechanical things were there, we couldn't proceed with too many things. But we proceeded as fast as we could.





Q. But how much time would you say it took?

A. Well, we did our testing at the Canadian Championships in Brossard in May, 1984, which was a big major championship after this December business at Mirabel Airport. So, it was only a couple of months until we got something going.

Q. Up to the moment you left in 1985, in fact, when was it, December, 1985?

A. The end of 1985, yes.

Q. From the moment that this new program, new policy, was enacted, the end of 1983, and for the next two (2) years up to the moment you left, were you told at any point in time by Mr. Kulesza, as the head National coach, that the athletes felt that they couldn't - because of these controls, they couldn't be at a level playing field with the other athletes in the world? They couldn't compete, because they could not take steroids anymore.

A. No, Andrzej never told me that.

Q. If Andrzej Kulesza did not, did anyone in the Federation, did any member, any athlete, inform you of that problem?

A. Well, some volunteer coaches thought that it was very unfair that we were being so fair in Canada. And some of the high level athletes were a bit



sour, but that's too bad.

Q. Was that discussed at the Board, that some of these athletes reported that to you?

5 A. No, the Board was unequivocally for fair play, sportsmanship, and observance of the rules; not interested in any of these stories about athletes not being able to compete.

Q. Now, if I look at the history of Canadian doping infractions, we can see that, in 1984, in-

10 -

THE COMMISSIONER: Well, you go back to 1983.

Me PROULX: Well, 1983 was the Caracas Games. 1983 was when the two (2) athletes got caught. But I am speaking once the anti-doping policy was enacted, once you were provided with the funds at the end of 1983, we go to 15 1984, and we can see that Hadlow and Chagnon in July, 1984, in fact just before the Olympic Games in Los Angeles, were tested positive. Do you remember that?

A. That's right, yes.

20 Q. Do you remember that, in 1985, four (4) more athletes, Choquette, Darsigny, Pietracupa, and Salvas were also tested positive?

A. That's right.

Q. At this point in time, after these 25 four (4) were tested in 1985, at different times, right?



A. Yes.

Q. One was in July; one was somewhere in August; another one in September. Do you know if other measures were taken to, in view of these facts - in view  
5 of the fact that some were tested positive, do you know if any other measure towards a more strict control of the use by the athletes of steroids was taken?

A. Well, we moved from, at the beginning, testing at national championships and training camps,  
10 those areas where we had clear jurisdiction, we moved down to testing at provincial championships, and eventually to random testing. But to do random testing, you have got to have enough officials all over the country to be able to do a test.

15 Q. What kind of random testing did you make?

A. Well, eventually, I was gone by then, they had the 649 system. But we always had random testing in to some extent. Because if we went to a Canadian  
20 Championship, we might, for example, test the first three (3) places automatically, and then, two (2) or three (3) others in every category at random. So, every competitor was, in fact, subject to a doping control test.

And at a training camp, we would put  
25 everybody's name into a hat, and just pick out eight (8)





names, or however many names we had money to test for. And eventually, at major championships, we had a coaches' meeting before the competition, and every athlete was given a number, and everybody was chosen at random.

5                   So, while the events themselves were known in advance, the persons tested were always chosen at random. And eventually, we got to the 649 system, and now, they are even into something more specific.

10                   Q.     As far as you are concerned, in reference to Mr. Kulesza's responsibilities, going to his job description but also his duties, his responsibilities, and more particularly, in doping infractions, to your knowledge, was he asked or required to report to the Federation any fact in his knowledge of the use by the  
15                   athletes of these drugs?

                  A.     No, he wasn't, but it would be certainly implicit in his functions.

                  Q.     It would be implicit in his function, that he would report of his knowledge of the use by  
20                   athletes of drugs?

                  A.     Yes.

                  Q.     As the National coach, was he involved in the anti-doping control policy? Was he --

                  A.     No.

25                   Q.     What --



A. The Board sets policy, not the staff.

Q. Was he consulted?

A. Absolutely, so was I.

5 Q. He had nothing to do, of course, with  
the control itself, because this was done under the  
supervision, and this was, in fact, the responsibility of  
the Federation to look after.

A. That's right.

10 Q. With the help, I understand, of Sport  
Medicine Council of Canada.

A. That's right.

Q. These are my questions, Mr. Commis-  
sioner.

15 THE COMMISSIONER: Thank you. Mr. Silcoff?  
Thank you, Mr. Proulx.

--- CROSS-EXAMINATION BY Me SILCOFF:

Q. Good morning, Mr. Campion.

A. Good morning.

20 Q. Thank you for coming here today. I  
would like to take you back to the decision taken at the  
camp Lac St-Denis in the summer of 1983, spring of 1983.

A. Summer.

25 Q. Summer of 1983. The decision was  
taken to hire Mr. Kulesza. Who advised him of that



decision?

A. Who advised who of what decision?

Q. Who advised Mr. Kulesza that his  
candidature had been accepted?

5 A. I think it was me and Don Buchanan.

THE COMMISSIONER: Do we have a copy of the  
contract of Mr. Kulesza? Will that be brought in?

Me LUTFY: We will be filing with the  
testimony of Mr. Kulesza his employment contract.

10 THE COMMISSIONER: Alright, thank you.

Me LUTFY: Mr. Commissioner, these are one of  
the documents that I have furnished.

THE COMMISSIONER: Do you have a copy of it  
now, that I might see?

15 Me LUTFY: Yes, I believe so.

Me SILCOFF: I just handed over to your  
Registrar two (2) books of documents that I will be  
introducing. The first and thinner book includes Mr.  
Kulesza's contract. It includes his contract from 1984 to  
20 date, but doesn't --

THE COMMISSIONER: The yearly contracts, Mr.  
Lutfy, are --

Me LUTFY: I have not been able to locate a  
signed contract for the 1983/1984 period. What you have in  
25 there is a four (4) year contract from 1984 to 1985, and a



renewal of that contract - from 1984 to 1988, excuse me,  
and a renewal of that contract from October, 1988, to date.

THE COMMISSIONER: Very good. Go ahead, Mr.  
Silcoff.

5 Me SILCOFF: Thank you. Mr. Campion, Mr.  
Justice Dubin has referred to --

THE COMMISSIONER: Would you mind just  
putting a piece of paper where the contracts are. There  
are a lot of documents in that book. Go ahead, Mr.  
10 Silcoff.

Me SILCOFF: Mr. Justice Dubin has referred  
to the employment agreement entered into between the  
Federation and Mr. Kulesza.

THE COMMISSIONER: I heard you say you  
15 haven't been able to locate the first one. Is that what  
you said?

Me SILCOFF: The agreement --

THE COMMISSIONER: Not you, I think Mr. Lutfy  
said they can't locate the first one.

20 Me SILCOFF: The agreement that Mr. Lutfy  
refers to is the agreement dated the third day of November,  
1984.

THE COMMISSIONER: Thank you.

Me SILCOFF: The agreement --

25 THE COMMISSIONER: Go ahead. I didn't mean





to interrupt you, Mr. Silcoff. I'm sorry, I just wanted--  
I thought it might be handy to have the --

Me SILCOFF: No, I think we will get the  
housekeeping done, and we are --

5 THE COMMISSIONER: Alright, you will wait for  
a minute then, thank you. Then, we won't be distracted.  
I also notice a job description.

Me LUTFY: I will verify the job description  
in 1984 and 1988, and the contract.

10 THE COMMISSIONER: Thank you very much. Go  
ahead, Mr. Silcoff, sorry.

Me SILCOFF: Thank you. The agreement, that  
is before the Commissioner, is the agreement dated the  
third day of November, 1984. When, to your knowledge, was  
15 the first agreement entered into between the Federation and  
the National coach, Mr. Kulesza?

A. We hired him right away. Whether  
there was a signed contract drawn up by the Executive  
Director, I don't remember, but he was paid from that time  
20 on.

Q. Fine. Who was Mr. Kulesza's boss?

A. Me.

Q. And in the months following Mr.  
Kulesza's hiring, did you have occasion, I suspect you did,  
25 to give directions to Mr. Kulesza, and to analyze his



transition from living in Poland to living in Canada?

5           A.       Absolutely, when I was first in Varna, and first approaching people to tell them that we were looking for a coach, I explained to perspective candidates that they would have a tough road to hoe in Canada. That weightlifting was not a high profile sport the way it was in many, many other countries. That it had very few adherents. That it had very little funding. That it didn't have a history of great success. That we were very short of personnel. That we were short of money. And that we did not aspire to the very highest levels of international competition. And that we adhered to sportsmanship and fair play, and observe the rules, and that anabolics were out of the question in Canada.

10           THE COMMISSIONER: Well, why would that come up?

          THE WITNESS: Because I wanted to make sure that anybody who would be coming to Canada would know the rules, under which he would have to play.

20           THE COMMISSIONER: Well, I got the impression that you didn't think there was a problem in Canada.

          THE WITNESS: I told you, back in 1976, I thought there was a problem in Canada. And now, we are talking about 1983, in April, I still thought it was a problem.



THE COMMISSIONER: In that some athletes were taking anabolic steroids.

THE WITNESS: Rumours are rumours.

THE COMMISSIONER: Well, we know that --

5 THE WITNESS: They are all negative, until they have a positive test.

THE COMMISSIONER: Well, we are far beyond the rumour stage now, because we have the facts. This is what was testified --

10 THE WITNESS: That's right. But in 1983 --

THE COMMISSIONER: All through the period of your association.

15 THE WITNESS: In 1983, we had had testing in weightlifting, and some athletes had been positive. But most of them were negative.

THE COMMISSIONER: Go ahead, sir.

Me SILCOFF: Had this policy been clearly communicated to Mr. Kulesza, at the time of his hiring?

A. I'm --

20 Q. You said that you had mentioned to all of the candidates this policy. Did you mention it to Mr. Kulesza, as well?

25 A. I don't remember specifically, but I am sure I did, because we discussed everything about weightlifting all the time.





Q. Now, in the months following Mr. Kulesza's appointment as National coach, did you notice any culture shock on his part, any reaction to his adjustment in Canada?

5 A. Well, even if Poland is now in Eastern Europe, it is still a Western country. But there was a drug culture shock for Coach Kulesza.

Q. Could you explain that?

10 A. When he went to work at the Centre Claude Robillard in the fall, we had meetings all the time. I would go down to Montreal to meet Andrzej. He would come to Ottawa to meet us. We would meet at meetings. And he was appalled that athletes in Montreal came to him, and said, "Well, you are the coach from Poland, where are the anabolics?" And he said, "What?" And they said, 15 "Well, you are from Poland. You have got anabolics to give us. You are the international coach". And Andrzej said, "I'm very sorry. I am a coach" --

20 THE COMMISSIONER: Well, were you there, when you heard this discussion?

THE WITNESS: No, I wasn't.

THE COMMISSIONER: Then, how are you relating it?

THE WITNESS: Because Andrzej told me.

25 Me SILCOFF: What Andrzej told you.



A. Andrzej told me that he was appalled.

THE COMMISSIONER: I see.

THE WITNESS: That he told the athletes that he was a coach. He was not a pharmacologist. He was not a  
5 pusher. That anabolics were against the rules, and that he was there to teach them how to train in weightlifting. And the way to get results was to work hard, and not to use anabolics.

Me SILCOFF: Has Andrzej ever explained to  
10 you his approach, his philosophy to the training of athletes, and have you discussed this, as Technical Director of the Federation, with him?

A. Absolutely.

Q. Could you explain to the Commissioner

15 --

A. Well --

Q. What your position was in this matter, and the consensus between you and the National coach?

A. Well, Canada was aspiring to certain  
20 levels of international expertise in weightlifting. We had no illusions. We certainly did not think we were going to win medals at World Championships or Olympic Games. But in the smaller sphere, Pan American Games and Commonwealth Games, we thought we had a good chance of doing quite well  
25 in weightlifting.



You have to realize that, in weightlifting, the real powers are in Europe, and especially in Eastern Europe for historical reasons. Whatever the reasons are, they are usually historical. But in the other spheres of influence, Pan American Games and Commonwealth Games, we could do very, very well.

And Andrzej accepted this, that he would not be coaching athletes who necessarily would be aspiring to a gold medal in the Olympic Games.

THE COMMISSIONER: Well, what about all the other coaches, because we have heard just the contrary?

THE WITNESS: I don't think any coach in Canada was deluding himself to the point, where he thought his athletes were going to win a gold medal in the Olympic Games.

THE COMMISSIONER: Well, not without anabolic steroids.

THE WITNESS: With or without, I mean these guys told you they took anabolics, and they were still tenth.

THE COMMISSIONER: Alright.

THE WITNESS: Anyway, Andrzej had no illusions about coaching a world power in weightlifting. We were going to be a regional power with occasionally maybe one (1) extraordinary athlete, who could be a very



good representative internationally, within the top ten (10), or top eight (8), or top six (6), or something like that.

5 But Andrzej was not necessarily interested only in results. It was not just snatch, and clean, and jerk. His background is not a high performance coach in Poland. His background was a professor of physical education at the University of Warsaw, a university that was giving out degrees when people were living in tepees and hogans in Canada.

10 And as a professor, he had a long history of the Western philosophy behind him. And his role as a coach was to be a pedagogue to athletes, to teach them the value of sport within a lifetime that lasted seventy (70) or  
15 seventy-five (75) years, and to put sport into a context of a whole life, putting its goals and aspirations at a certain point in life as being important, but not being important for the whole of life. And sports should be a way for a person to realize his potential, and to prepare  
20 his life.

And he was always a bit dismayed at the low level of education in weightlifting on all levels: athletes, coaches, administrators, and everybody concerned.

Q. Could you perhaps enlighten us, as Mr.  
25 Kulesza's boss as you were until December 1985, of his





responsibilities? You mentioned briefly during your Examination by my colleague, Mr. Proulx, as to the coach's responsibilities, or lack thereof, for the doping control problem, or doping control policy rather. Could you be a little more explicit?

A. Well, policy is developed by the Board. The Board is responsible for the Federation, and it develops policy. Of course, the staff gives input, but the Board is responsible for developing policy, and then, the staff has to implement policy, carry it out. But Andrzej, as a coach, was responsible for coaching athletes.

And you must realize that not all athletes wanted to move to train at the centre in Montreal. Some of them preferred to live in Edmonton, or Winnipeg, or Sault Ste. Marie, or wherever they happened to be, and not move here. Andrzej therefore had to communicate by telephone, and by writing, with those athletes and their personal coaches. He had to set up a training program for these athletes; decide where they would compete provincially, nationally, or internationally; try to organize training camps for all of these athletes usually in the summertime, to get them together, and plan for the year; and communicate essentially with the personal coaches, who were seeing their athletes on a day to day basis.

And this was a very difficult thing to do,



because there was a lot of animosity towards hiring a foreign coach. And people would say to me we don't have to hire anybody from outside of Canada. And Andrzej was from outside of Canada. As far as the selection committee was concerned, he was the most qualified person we had.

But Andrzej, I believe, by the force of his personality and his diplomatic skills, won over these coaches, when he did meet them, when he did collaborate with them. When he made it clear that he would be working with them, that they were valued associates in what he was doing, these coaches, for the most part, accepted Andrzej, and grew to respect him and like him.

Q. As between you and Mr. Kulesza, with respect to your respective functions in the Federation, who had the power to supervise and enforce doping control?

A. Me, much more than Andrzej. Andrzej didn't have any responsibility or authority there.

THE COMMISSIONER: He had no responsibility with respect to doping control, at all?

THE WITNESS: No, doping control is done by officials.

THE COMMISSIONER: But no responsibility in that area at all.

THE WITNESS: No.

THE COMMISSIONER: Whether the athletes were



taking drugs or not, that would be a matter of no concern to the coach.

THE WITNESS: We are talking about two (2) different things. I am talking about the physical act of doping control, and the scheduling of doping - I thought that is what the question was.

THE COMMISSIONER: I thought doping control might start by preventive measures --

THE WITNESS: Well, we will have to ask --

THE COMMISSIONER: Not just the testing.

THE WITNESS: Preventive measures?

Me SILCOFF: Well, there are two (2) aspects, and I would agree, Mr. Commissioner, that --

A. Well, I would like to explain the preventive measures I took. We had preventive measures against doping.

THE COMMISSIONER: Well, excuse me, don't be so argumentative. You are here to answer questions.

THE WITNESS: Okay.

THE COMMISSIONER: And Mr. Silcoff was asking you what the coach's role, never mind the name of the coach, the coach's role, because there is several other coaches --

THE WITNESS: Any coach, I believe, is responsible for teaching fair play to his athletes.





THE COMMISSIONER: No, but you said he had no responsibility in the area of doping control.

5 THE WITNESS: I understood Me Silcoff's question to mean doping control the way we talk about it in the sport, meaning a doping control station where there are officials who have a kit --

THE COMMISSIONER: Well, your only concern then is about the people about being caught.

10 THE WITNESS: No, I didn't understand his question, or we didn't understand his question, the three (3) of us, in the same way. Maybe he could explain his question.

15 THE COMMISSIONER: You see, doping control, the way you picture it, is just the result of a test of urine --

THE WITNESS: That is what doping control is in the sporting world.

20 THE COMMISSIONER: I see. I would have thought that doping control is to prevent athletes from taking dope, as part of the program.

THE WITNESS: No, I think preventing athletes from taking dope is the sportsmanship, fair play program policy, not doping control.

25 THE COMMISSIONER: Well, that is not the role of the Federation then or the coach, as to --



THE WITNESS: What isn't?

THE COMMISSIONER: To prevent people from taking dope.

5 THE WITNESS: Absolutely, it is through promoting fair play, absolutely.

THE COMMISSIONER: Thank you. Alright, I'm sorry, I am confused.

THE WITNESS: We are talking about - policy and control are two (2) different things.

10 Me SILCOFF: Let me perhaps ask a question in a little bit clearer manner, if I could.

THE COMMISSIONER: Thank you.

15 Me SILCOFF: Could you comment on the ability of the National coach to control the illegal use of banned substances?

A. Control, in the English sense or the French sense, contrôler or control?

THE COMMISSIONER: Oh, Mr. --

THE WITNESS: No, I don't --

20 THE COMMISSIONER: Mr. Campion --

Me SILCOFF: Okay, Mr. Campion, was --

Me LUTFY: With deference, Mr. Silcoff, I really do believe --

THE COMMISSIONER: I think the witness --

25 Me LUTFY: I really do believe - I have had



the advantage of having met with him yesterday. I really do believe there is a question of semantics, Mr. Commissioner. And I say that with all great respect. There is -

5 THE COMMISSIONER: Well, Mr. Silcoff is asking a question about control. Is that a --

Me LUTFY: That's right. And I think because of the --

10 THE COMMISSIONER: Is there a different nuance between the word control in French and in English?

Me LUTFY: And if there --

THE COMMISSIONER: Well, then you give the nuance then, I'm sorry.

15 THE WITNESS: Control in English has the idea of approving to some extent, whereas contrôler in French is only to supervise. It is not the same thing.

THE COMMISSIONER: I see.

THE WITNESS: However --

20 Me SILCOFF: Let's not get involved in nuances. Let me ask you in very, very blunt terms. The structure, as it existed in the Federation until December, 1985, the date that you left the Federation, and the role of the National coach, we are positioning a specific person and a specific time frame, is or was the National coach in  
25 a position to prevent, forget about the word control, to



prevent the illegal use of banned substances?

A. No, he wasn't. And I don't believe anybody was in a position, as was clearly explained, to stop the use of banned substances.

5 Q. Why?

A. Well, a National coach or any coach-- well, we will talk about a National coach, because that is what we are talking about --

10 THE COMMISSIONER: Well, let's talk about all the coaches that we are --

THE WITNESS: Well, a volunteer coach or any coach sees his athletes doing the training program. Now, on a national level with high level athletes, who do nothing but train, this might mean, depending on the day, the season, the month, four (4) five (5) hours a day, five (5) to six (6) days a week. But that still leaves twenty (20) hours a day, when the coach doesn't see the athlete. He sees the athlete in the gym, watches his training --

20 THE COMMISSIONER: Well, we are beyond that now, because the coach also sees the increased performance of his athletes.

THE WITNESS: Sometimes yes, sometimes no, sometimes the athletes stagnate, sometimes they go down.

25 THE COMMISSIONER: No, but if the coach's job is to watch his performance, improve his performance --





THE WITNESS: That's right.

THE COMMISSIONER: And see what was --

THE WITNESS: That's right.

5 THE COMMISSIONER: And Mr. Roy told us that  
any coach would know that if a person increased his  
performance dramatically in a matter of weeks, it would  
probably be by reason of steroids.

THE WITNESS: Well, that is what Mr. Roy told  
you. I don't necessarily agree with what Mr. Roy said.

10 THE COMMISSIONER: Well, Mr. Gowan, who is  
the head of the Coach Association, told us the same thing  
in Toronto a couple of weeks ago.

THE WITNESS: Well, okay.

15 THE COMMISSIONER: Alright, but you say that  
wouldn't be - the coach wouldn't worry about that.

THE WITNESS: I am saying that the coach does  
not see the athlete twenty-four (24) hours a day. He  
doesn't know what the athlete does, when he is not at  
training.

20 THE COMMISSIONER: Alright, but he might see  
that a change in mood, a change in health, a change in  
appearance, a change in performance, which could only be--

25 THE WITNESS: Well, as far as appearance  
goes, these elite athletes, the National coach inherits an



athlete at this level.

THE COMMISSIONER: Well, I interrupted, I'm sorry --

5 THE WITNESS: And when the athlete arrives at the National coach's level in Canada, the coach inherits essentially a completely formed adult. The athlete rarely changes body weight categories, when he gets at this level. It does happen sometimes, but usually he is already at the body weight he is going to be for his career as a National athlete. So, we are not going to see dramatic increases in  
10 body weight.

THE COMMISSIONER: The performance would change dramatically --

15 THE WITNESS: We see dramatic increases in performance due, in many instances, to the improved milieu at a National high performance centre.

THE COMMISSIONER: We have been told by those - have you been here the last week or so?

THE WITNESS: No.

20 THE COMMISSIONER: We have been told why we have seen these dramatic increased performances. The athletes are here telling us.

THE WITNESS: Well, that's fine. Now, I think you may hear - I may continue?

25 THE COMMISSIONER: Well, go on, Mr. Silcoff.



THE WITNESS: We sometimes see dramatic increases in --

THE COMMISSIONER: I'm sorry to interrupt, and I won't interrupt for awhile.

5 THE WITNESS: We sometimes see dramatic increases in performance, due to the favourable milieu of training in a high performance centre. When an athlete arrives from Edmonton, for example, where he is the top athlete in a province, and he arrives with seven (7) other  
10 athletes who surpass him, he strives harder to do better. He is in a milieu, where emulation is very important. He is under the stimulus of this.

And whole idea of a National high performance centre is to get people together, so that they will  
15 improve. So, we want to see improvement. If we saw no improvement, we would get rid of the high performance centre. We would get rid of training centres. Why have them, if there is no improvement?

So, the athlete improves, then he goes back  
20 home; comes back for a training camp. And once again, the idea of a training camp is to get people together, that emulation. You get two (2) people in the same body weight category living at different ends of the country, they are much more stimulated when they are training together twice  
25 a day for three (3) weeks, than when they train apart





separated by three thousand (3,000) kilometres, and never see each other.

5 Me SILCOFF: Now, Mr. Campion, let me take you on another point somewhat related. Did the National coach, Mr. Kulesza, in the years that you worked with him, ever express any pride to you, any satisfaction, with respect to the accomplishment of his athletes and his program?

A. Yes, he did.

10 Q. Would you elaborate on that?

A. Well, I recall an instance when, in one of the European trips, after the Modling Cup, I think it was, when Denis Garon --

15 THE COMMISSIONER: I'm sorry, what Cup was that?

THE WITNESS: The Modling Cup in Austria.

THE COMMISSIONER: Yes, thank you.

20 THE WITNESS: When Denis Garon, several years ago, did very, very well. And Andrzej said we won this big competition, in his accent, and no steroids. He says our boys don't take steroids.

THE COMMISSIONER: Denis Garon took steroids.

THE WITNESS: That is what Andrzej Kulesza told me.

25 THE COMMISSIONER: Denis Garon?



THE WITNESS: Andrzej - I am telling you what Andrzej Kulesza told me. He was very proud of these performances. In Indianapolis, at the Pan American Games, in 1987, Canada won the team title, and Andrzej was ecstatic that they won, no steroids.

THE COMMISSIONER: Why would he have to mention that? I thought that would be assumed, in your --

THE WITNESS: Because he was competing against Cuba.

THE COMMISSIONER: I see.

THE WITNESS: And Cuba is suspected of using steroids. They have it - they had an Olympic gold medallist with positive doping results. So, they have had a history of positive results.

Me SILCOFF: Did he indicate to you then that why he was proud of the boys, you say no steroids, but --

A. But they were working hard; they were training hard. They had new training methods. They had adopted training methods that were modern. They were training hard, and they were serious endeavors, and they were successful. We weren't winning medals in the World Championships. Let's not kid ourselves. But, in the small sphere of influence, where we thought we could do well, we were doing relatively well.

Q. I take you now to the summer Olympics



in Los Angeles of 1984, and two (2) athletes who were caught, and tested positive, Messrs. Hadlow and Chagnon. What was Kulesza's - did Kulesza express any views to you, with respect to these athletes?

5                   A.       Yes, I was there as an official. And when the news came out, Andrzej came to see me, and he was devastated. And he --

THE COMMISSIONER: Was this at the Olympics?

10                   THE WITNESS: In Los Angeles, yes, 1984. He was devastated, and he expressed to me that these athletes had sworn to him, up and down, that they were taking nothing, that they were clean, that they were going to compete under the rules of sportsmanship.

15                   And here, they were positive, and he was devastated, because he said he could no longer trust these athletes, with whom he was working. They would lie to him, tell him that they were not taking steroids, and then take them under the table. And he found out about it like everybody else, when the tests were positive.

20                   And he said how am I going to continue working with people, who are lying or whom I can't trust. He says it is a very difficult situation. He says these people aren't trustworthy.

25                   Q.       Mr. Campion, I have no further questions. Thank you.



THE COMMISSIONER: Mr. Lutfy? Thank you, sir. May I ask you what you are doing now, Mr. Campion? Are you still --

THE WITNESS: Independent consultant.

5 THE COMMISSIONER: In the athletic field?

THE WITNESS: No.

THE COMMISSIONER: Alright, thank you.

Me LUTFY: With your permission, Mr. Commissioner, may I stand here?

10 THE COMMISSIONER: I don't mind.

Me PROULX: I don't have any objection that Mr. Lutfy gets closer and closer to us, Mr. Commissioner.

15 THE COMMISSIONER: Thank you. I understand you have some Exhibits to put in. Do you have some Exhibits to put in?

Me LUTFY: That's correct, sir, if you will just excuse me one moment.

THE COMMISSIONER: No, I'm sorry, I thought you wanted some --

20 Me LUTFY: Yes, Mr. Commissioner.

THE COMMISSIONER: Oh, I'm sorry, now I have a book here.

Me LUTFY: No, we have copies, sir. I have produced to --

25 THE COMMISSIONER: No, excuse me, I think I





have - you lent me this at the moment. Is this --

Me LUTFY: That's fine. That is your copy.  
I would like to introduce two (2) Exhibits, sir.

THE COMMISSIONER: Thank you.

5 Me LUTFY: The first is a book of documents,  
which might be useful to the Commission as background  
material. They include the Letters Patent and the bylaws  
of the Federation, curricula vitae of Yvon Chouinard and  
Claude Ranger, who will be before this Commission in due  
10 course, the contract between Mr. Ranger and the Federation,  
the contracts and job descriptions concerning Mr. Kulesza.  
And we have also included in this book the doping policy,  
or anti-doping policy of the Canadian Weightlifting  
Federation for 1985, 1986, which is the 649 system, and  
15 1988 policy.

THE COMMISSIONER: Thank you.

Me LUTFY: And I would ask your Registrar to  
be good enough to mark this book as an Exhibit.

THE COMMISSIONER: What number is this?

20 The Registrar: 99.

THE COMMISSIONER: 99.

EXHIBIT 99: Book of documents concerning the Federation,  
and its officials, and anti-doping policies.

25



THE COMMISSIONER: I'm sorry, I thought you said there was a second book.

Me LUTFY: There is, sir. The second book, which again I have left with my friends at the table and with your Registrar, is a collection of documents which we have found in the files of the Federation, for the period 1983 to 1985, which is the period more or less that covers Mr. Campion's ten (10) years at the Federation.

THE COMMISSIONER: Thank you.

Me LUTFY: And I would ask your Registrar to be good enough to mark that document as an Exhibit.

THE COMMISSIONER: 100, we made it.

Me LUTFY: No, this is the second document now.

THE COMMISSIONER: No, I know. 100 is the--

Me LUTFY: I'm sorry.

THE COMMISSIONER: We have reached the 100 mark.

Me LUTFY: Thank you.

EXHIBIT 100: Documents covering the period 1983 to 1985.

THE COMMISSIONER: Very well, Mr. Lutfy.

Me LUTFY: And I want to apologize to Mr.



Caisse. We have been doing this in the evenings at our offices in Montreal here. And I don't have a copy for Mr. Caisse. I can tell him that I have left a copy with the translators. And if he wants to take theirs, he is welcome to it. I can also tell him that these documents really don't directly affect his clients, in any manner whatever.

THE COMMISSIONER: Thank you.

Me LUTFY: Mr. Commissioner, Exhibit 100 has been put together in a chronological order from 1985 to 1983, going backwards. So, I am going to start at the back of the document, and work towards the front.

THE COMMISSIONER: Thank you.

Me LUTFY: And again, I know Mr. Proulx is anxious to get on with his own agenda. A lot of these documents were prepared by Mr. Chouinard. And we can address those in a more detailed way, when Mr. Chouinard is here. I will focus principally on the more important of the documents, especially those drafted by Mr. Campion.

THE COMMISSIONER: Thank you.

--- CROSS-EXAMINATION BY Me LUTFY:

Q. Mr. Campion, you have a copy of the book.





A. Yes.

Q. Mr. Proulx took you through 1976 which was, as I understand it, your first specific awareness of the active use of steroids in athletics, and in your sport in particular.

A. No, I didn't say it was my first specific awareness of the use. I said we tried to get funding to have doping control, because it was in the rule book, you know, as part of the rules.

Q. Have you given the Commission your age?

A. No.

Q. What is your age?

A. Forty-eight (48).

Q. And how many years have you been involved in this sport?

A. Going back to my early youth, from about the age of eighteen (18), nineteen (19).

Q. For the better part of thirty (30) years, you have been active in weightlifting either as an athlete, as a volunteer, or as a paid employee.

A. Yes.

Q. The first document or the second document towards the back of the book is a letter from yourself to Bill Heikkila.



A. Heikkila.

Q. Heikkila of Sport Canada.

A. Yes.

Q. And --

5 THE COMMISSIONER: Just bear with me now, please, I am trying to - yes, I have it now.

Me LUTFY: It is a letter of September 8th, 1983. Am I right in reading this letter as being the first time that the Canadian Weightlifting Federation is going  
10 to get into the business of testing?

A. Well, it is the first letter you have got in your document. But, as I said before, we had - when the Federation does its budget planning, the representative from Sport Canada is usually at these budget meetings.  
15 And we discuss all kinds of possibilities. And we had previously discussed doping controls to be put into our budgets in earlier years, 1978, 1977, 1979.

And right at that meeting, when Sport Canada consultants say we have no money for doping control, the  
20 planning doesn't go any further. There is no sense in setting up a budget for doping controls, when the person responsible for the budget says that we don't have that budget.

So, we had asked, but here I am writing a  
25 letter saying we would like some money anyway.



Q. Apart from the fact that you had made repeated requests, and we will see reference to this in subsequent correspondence, by this time, the Federation had been effecting no testing. Is that correct?

5 A. One (1) test was done - well, there had been tests in Canada now. At the Olympic Games in 1976, there were doping controls done. In 1978, in Edmonton, Alberta, the Commonwealth Games were held. There were doping controls done there. And as a dress rehearsal  
10 for the Commonwealth Games, the Canadian Weightlifting Championships in 1978, in Edmonton, was used as a dress rehearsal for the doping control procedures and the lab, okay?

Q. That's correct, and we will be  
15 referencing that in a moment.

A. And in 1980, the Junior World Championships were held in Montreal, and doping controls were done there. But these are international events.

Q. To your knowledge, was there testing  
20 being done in this period of time by any other sporting federation in Canada?

A. No, there wasn't, as far as I know.

Q. The next set of documents refers to an exchange of correspondence between your Federation and  
25 Mme. Payette, who was then Minister of State --



THE COMMISSIONER: Excuse me, we are moving backwards now through the book? We are starting at the back, and going --

Me LUTFY: Yes, sir.

5 THE COMMISSIONER: Okay, thank you.

Me LUTFY: I can only refer to my Middle Eastern roots as the reason why it is going back to front, but this --

THE COMMISSIONER: Well, I am not sure --

10 Me LUTFY: Book is going from back to front, and I apologize for the inconvenience.

THE COMMISSIONER: No, I think we are going from the back to the front.

Me LUTFY: Yes.

15 THE COMMISSIONER: But I am just following-- so, this is within the yellow pages, is that right?

Me LUTFY: Within the next yellow pages, that's right, sir.

THE COMMISSIONER: Thank you.

20 Me LUTFY: I have tried, to the extent possible, to put related documents together.

THE COMMISSIONER: No, that is very helpful. Thank you, Mr. Lutfy.

25 Me LUTFY: And unfortunately, Mr. Commissioner, we have not been able to locate the Federation's-





we have not been able to locate Mme. Payette's letter to the Federation of November 15th, to which reference is made in the first paragraph. But we have here the Federation's reply to her letter of November 15th.

5 THE COMMISSIONER: And what date is this letter, please?

Me LUTFY: It is not dated, to the best of my knowledge, except that we see --

THE COMMISSIONER: A stamp.

10 Me LUTFY: That she received it on November 21st, or her office received it on November 21st, 1983.

THE COMMISSIONER: Thank you.

15 Me LUTFY: I take it, Mr. Campion, that the reference at paragraph 3 of the letter, with respect to the 1978 Canadian Championships, is a reference to your correction to my question earlier, that, in fact, the Federation had done isolated testing in that year.

20 A. Yes, as I said, the Commonwealth Games were being held in Edmonton, and part of the games was the doping control laboratory. And they used weightlifting as a dress rehearsal for the doping control procedures, and the laboratory operations, and all that other business.

25 Q. Are you aware of the results, in any specific way, of the testing in the 1978 Canadian Championships?



A. No, as far as I know, there was nobody positive.

Q. At paragraph 4 of the letter, at page 2, can you speak to that paragraph 4, generally speaking, and the second part of that section of the letter?

THE COMMISSIONER: Mr. Keith Nesbitt, he is the one that writes the letter, not Mr. Campion.

Me LUTFY: He is the Executive Director of the Association, at that time.

THE COMMISSIONER: Thank you.

Me LUTFY: And correct me if I am wrong, Mr. Campion, but there are really two (2) persons in the office, the Technical Director and an Executive Director.

THE COMMISSIONER: Yes, I understand that, thank you.

Me LUTFY: What are we talking about in section 4, particularly the second part of that section?

A. The paragraph that says "With regard to the incidents"?

Q. Correct.

A. Well, he is talking about the athletes who had brought anabolics into Canada, and that they had been suspended. And he refers to appendix C, which is, if you will, the minutes of a tele-conference, telephone conference meeting, among the executive committee of the



Federation deciding to suspend the four (4) athletes.

Q. And if I take appendix C, Mr. Campion,  
the last sentence - the first sentence of the last  
paragraph of appendix C, the first or the three (3) month  
5 suspension which the Federation had imposed on these  
athletes, and the last sentence reads:

"The executive  
committee will review  
10 this position at the  
end of this time, to  
assess if further  
action is warranted."

15 Do you know to what - what was being referred  
to with respect to a pending review in the next three (3)  
months? Do you know why there was a postponement of a  
second review?

A. I don't know, but I think it was  
20 because they were awaiting the case in Court, to see what  
the results would be.

Q. They were awaiting the results of the  
litigation --

A. Yes.

25 Q. Before the criminal Courts with





respect to the four (4) athletes.

THE COMMISSIONER: Well, that was four (4) years.

THE WITNESS: They didn't know that.

5 Me LUTFY: That continued four (4) years, and I guess our submission is going to be that no one, at that time, could have known it, sir.

A. They didn't know that.

10 THE COMMISSIONER: Well, I have got to make sure this hearing doesn't take four (4) years.

Me LUTFY: If that is an admonition for me to go faster, I will do my best.

15 THE COMMISSIONER: No, no, you are doing fine. Well, I take it though, Mr. Lutfy, without interrupting you, that no further action was taken. It stood at three (3) months, as I understand it.

Me LUTFY: To the best of my knowledge, sir, that is correct.

THE COMMISSIONER: Thank you.

20 Me LUTFY: At page 3, the second full paragraph of that page, Mr. Campion, I draw your attention to that paragraph, and particularly the last four (4) lines of it. Can you talk to the issue that is being addressed there?

25 A. When it says we asked for money for



doping controls, and it was felt that our obligation --

THE COMMISSIONER: Please, help me. What paragraph was that?

Me LUTFY: We are at page 3.

5 THE COMMISSIONER: Of the letter.

Me LUTFY: The second paragraph of the letter, the last four (4) lines of it.

THE COMMISSIONER: Thank you.

THE WITNESS:

10

"We felt that our obligation to provide training and competition opportunities had a higher priority than testing. This position has remained the same until this year, when these problems came to the forefront."

15

20

That?

25

Me LUTFY: Yes.



A. Well, it said that there was - as he says in the beginning of the paragraph, we had asked for money for doping controls, and there was no money available. And they said we could it. Sport Canada said, of course, you can do any doping controls you want, but we just can't fund it. You can fund it yourself. Well, we--

THE COMMISSIONER: Well, the Federation was completely funded by Sport Canada.

THE WITNESS: No, no, this Federation is not completely funded by Sport Canada.

THE COMMISSIONER: What percentage would be -

THE WITNESS: Oh, maybe ninety-nine percent (99%).

THE COMMISSIONER: I see.

THE WITNESS: It is very high, yes.

THE COMMISSIONER: Well, you are right, you are good Technical Director.

THE WITNESS: No, I don't want to be flippant, but every federation has some source of its own revenues.

THE COMMISSIONER: Well, no, I shouldn't have overstated it, I'm sorry. Go ahead.

THE WITNESS: But the revenues available to



weightlifting were such that they could not really undertake their own doping controls.

THE COMMISSIONER: There are some other sources for small amounts of additional money.

5 THE WITNESS: Yes, and the Federation gets some money from its members as dues, and things like that, but that is about it.

THE COMMISSIONER: Fine.

10 THE WITNESS: So, it really didn't have any source of money for doping control funding. So, it was in limbo.

Me LUTFY: To be fair to the witness, Mr. Commissioner, we will be - the financial statements will show that the ninety-nine percent (99%) figure may not even be that high. There are sources of funding from sponsors and from members.

15

A. But that varies from year to year.

Q. In addition to what they receive from the Federal Government.

20 THE COMMISSIONER: Well, I overstated it, I'm sorry.

Me LUTFY: And of course, earlier in that same paragraph, we see a reference to a request made as early as 1978 by the Federation --

25 A. Yes.





Q. To Sport Canada for funding for testing.

A. Yes.

THE COMMISSIONER: Well, I gather your position was that although you had funds of Sport Canada, there was no additional money that you would need for the doping.

THE WITNESS: Yes, you must realize that when Sport Canada gives money to a federation, it doesn't just give a federation a block of money, and say do what you will. The money is earmarked for various projects.

THE COMMISSIONER: Alright.

THE WITNESS: And they had no program, at that point, no envelope, for doping controls.

THE COMMISSIONER: It is just a matter of interest that I heard about. When did you finally get residences for your lead athletes?

THE WITNESS: Get?

THE COMMISSIONER: You got a residence, I think, for your lead - you had a place where your athletes can stay?

THE WITNESS: We rented a flat, but we sublet to them.

THE COMMISSIONER: You sublet to the athletes?



THE WITNESS: Oh, yes.

THE COMMISSIONER: I see, thank you.

THE WITNESS: Yes. So, the money from Sport Canada is not just given globally, and you do with it what you will. It is earmarked for certain projects. And there was no money for doping. The Federation is, of course, able to add its own monies to any envelope, or open its own envelope with its own monies, if it has them, but we didn't have them, so...

THE COMMISSIONER: Alright, thank you.

Me LUTFY: The next document, Mr. Campion, is a memorandum from your Executive Director, Keith Nesbitt, to the executive committee of the Federation. It is dated November 16th, 1983. And paragraph 1 of the letter talks about a proposal to involve the IOC into random testing.

A. Yes.

Q. Can you speak to that issue?

THE COMMISSIONER: Now, I would like to see that, please.

THE WITNESS: It is appendix E. And --

THE COMMISSIONER: Well, just give me a moment. I don't have an appendix. Am I in a document November, 198...

THE WITNESS: It is on the other side of the yellow page.



THE COMMISSIONER: Back here?

Me LUTFY: Yes.

THE COMMISSIONER: I may be in the wrong  
section here. What date is this letter you are talking  
about?

Me LUTFY: November 16th, 1983.

THE WITNESS: It is appendix E.

Me LUTFY: I have changed section, from Mme.  
Payette's letter to the next --

THE COMMISSIONER: Well, I have that letter,  
but I don't have an appendix to that letter.

Me LUTFY: No, but if you go back - if you go  
forward in the book, you will see another document.

THE COMMISSIONER: Okay.

Me LUTFY: It was an appendix to the letter  
to her. In the collation, it ended up being in a separate  
section, Mr. Commissioner.

THE COMMISSIONER: Now, where is the  
reference to the IOC, because I --

Me LUTFY: In section 1, numbered paragraph 1  
of that letter.

THE COMMISSIONER: May I just read it for a  
little bit?

THE WITNESS: Do you want me to read it?

THE COMMISSIONER: No, I can read it with





you, because I just want to cover this area, which we haven't gone into yet. Alright, thank you very much.

Me LUTFY: Can you address that issue? What are we talking about here?

5           A.       Well, this was a simple proposal that the International Olympic Committee, if you will, put its money where its mouth is. The IOC is, of course, against doping, but it doesn't put any money into doping. It tells everybody that they are responsible, at their own home  
10       base, to pay for all the doping costs. And at the Olympic Games, the organizing committee pays all the doping costs. So, the IOC has a wonderful rule, but it doesn't put any money into it.

15           And here, we are saying that we should approach the IOC, and have the IOC start funding the doping control by having some kind of a flying squad, that would go into various countries and test athletes. Let the IOC take the onus of some of these things, instead of just pontificating.

20           Q.       This letter was drafted a few days after the Mirabel incident. And I see, at page 2 of the letter, that Mr. Nesbitt, I understand in consultation with you, had developed another idea to impose some --

A.       Yes.

25           Q.       Some greater degree of enforcement on



the athletes.

A. That's right.

Q. Can you speak to that issue?

5 A. Well, as we said, we were going to inform customs and excise of all the comings and goings of all of our weightlifting teams, so that the athletes would, in fact, be searched at all border points by customs and excise officials.

10 We had entertained the idea of going through the athletes' luggage ourselves, but we were told by legal counsel that we didn't have any right to go through athletes' luggage. That that was personal property, and we could not go through it.

15 So, we said we will tell customs and excise when they are coming back, and they have the right to go through it. So, this was what we did.

THE COMMISSIONER: This is a memo to the executive committee. Was that approved by the executive?

20 THE WITNESS: I believe it was, yes, and we did phone customs and excise, and tell these people when they are coming back from trips, and --

THE COMMISSIONER: Thank you.

THE WITNESS: And they were examined all the time.

25 Me LUTFY: I am prepared to move to the next



section, Mr. Commissioner. I am prepared to move to the next section.

THE COMMISSIONER: Yes.

Me LUTFY: The next sheet is dated April  
5 30th, 1984. It is entitled "Doping Control Procedures".  
Can you speak to this document, and inform the Commissioner  
as to who developed it, Mr. Campion?

A. Well, you can see the date, and I  
answered Me Proulx before about this. This was for the  
10 Brossard Canadian Championships, when we set up doping  
controls. And at that time, there were no - the SOP,  
standard operating procedures manuals weren't developed  
yet. I was working with Joan Dixon from the Sport Medicine  
Council of Canada, and made up this rudimentary SOP on our  
15 little letterhead for internal use.

And subsequent to this, the Sport Medicine  
Council published a more elaborate SOP, but essentially the  
same procedures. And this tells the officials how to go  
through a doping control procedure. And at Brossard, Mr.  
20 Chouinard was the organizer. I remember I went there  
early, and had a long meeting with all of our officials.  
And we had all of the equipment. And we went through this  
SOP. And we had the vials, and showed them how they  
collect the sample, and how they seal it, and how they do  
25 all this other business. So, it was our immediate effort



to put into practice doping controls.

Q. Thank you. In the next set of documents, Mr. Campion, is a single letter from Ms. Abby Hoffman to your Federation, but I take it, it is a form letter that was sent to several, if not all of the sporting federations. And she talks about a meeting which is to take place on Tuesday, May 8th, 1984, to discuss doping procedures. And she says, at the first paragraph of page 2 of that letter, that Sport Canada would be proposing that approximately thirty-five (35) to forty-five (45) tests be administered in weightlifting over the next several months. Is that correct?

A. Yes.

Q. That meeting did take place, and you attended it?

A. I don't know if I attended it, but I am sure it took place. I don't remember.

Q. The next set of documents I would identify as being protocol documents developed again, as I understand it, Mr. Campion, by yourself and Mr. Nesbitt. And I would invite you to speak to them, for a moment.

A. Well, we saw maybe - how shall I say it? You know, if an athlete is a member of a federation or an association, there is a book of rules, the rule book that sanctions, that codifies the activities, what the





sport does. And you assume that anybody, who is a member of a federation, subscribes to these rules and regulations. By being a member, he signs a piece of paper, yes, I am a member, and I observe the rules.

5                   Well, we went even further, and we drew up a little - our own code of ethics to reinforce to the athletes that these are the rules and regulations. And we had them sign these things, and we had their coaches sign these things. And it was an effort on our part to  
10                   promulgate our positive policy towards sportsmanship, our interest in observing fair play.

                  So, this is all it is. It is a code d'éthique, as you see, a code of ethics. And this agreement was signed by the athletes and coaches, saying I  
15                   observe the rules; I know the rules; the coaches, the boss.

                  When I travel, you will see that even - it even says things that you will have to dress in a certain way. We had to teach these people that when you travel,  
20                   you are a member of a team. You wear a jacket, a tie. You dress correctly. You don't get drunk. You don't carry on.

                  And these are the kind of things that we felt it was our responsibility to do. We had to educate, form,  
25                   and inform the members of the Federation. This was an



effort to do this.

Q. Thank you. The third paragraph of the first sheet says:

5 "You will not possess  
or use any banned  
substances."

A. That's right.

10 Q. The fifth paragraph says:

"Team officials  
will inspect  
everything  
15 before departure."  
ture."

Who --

A. Yes, we knew that was illegal, but we  
20 put it in anyway.

Q. To whom did you refer with the phrase  
"team officials"?

A. Well, that would be the team manager  
usually.

25 Q. The next document is called "Code



d'Ethique" --

THE COMMISSIONER: Just give me a minute, I am just trying to read further here.

5 Me LUTFY: Yes, and I think, sir, we should inform you, if you want to test Mr. Campion's answer about the signature of these documents by the athletes, I have asked for copies of signed documents, and none has been forthcoming. I am not sure they are still in our files.

THE COMMISSIONER: Alright.

10 Me LUTFY: I wanted you to know that.

THE COMMISSIONER: I just want to read the code.

Me LUTFY: Paragraph 1;

15 "Les membres du  
National Squad  
connaîtront l e s  
règles de la CWFHC et  
IWF et s'y c o n -  
20 formeront."

And I take that was the reference to drugs, amongst other things?

A. All the rules, not just doping.

25 Q. With your permission, Mr. Commis-





sioner, the next set of documents is a minute of a medical committee meeting, dated July 7th, 1984. Mr. Chouinard was an active member of that committee. He was its chairman. And we won't spend too much of the Commission's time this morning on this document.

THE COMMISSIONER: Alright.

Me LUTFY: I would like you to talk about the medical passport referred to at page 2 of the document, if you would, Mr. Campion.

A. Well, it was Andrzej's idea to have a medical passport. In meetings with me, he said you don't have a medical passport in Canada. I said no, and he says, well, you know, it is almost unheard of in advanced sporting countries to have the athletes participate without a medical passport. And so, with Yvon Chouinard, I developed a medical passport.

And what it is essentially is, it is a little booklet in which the athlete, every time he has something wrong, he goes to a medical doctor, and the doctor says, oh, he had a broken arm, or he had ligamentitis or tendonitis, or whatever it happens to be. And it also has the results of his records, his competitions, where he competed, etc., etc.

It is kind of a - it is a little passport referring to the athlete's medical health, and also his



sporting results. And officials in weightlifting have this little booklet like this. And every time they officiate a competition, it is registered.

5 And this was an attempt to make sure that the athletes would get medical check-ups. We insisted on a medical check-up before training camps. We wanted to make sure the athletes were in good health. They were able to withstand the training loads necessary in modern training.

10 So, it was an attempt on our part to have the athletes go to doctors, and to seek medical help, and to check that their health was okay.

Q. The next letter, Mr. Commissioner, is one dated July 11th --

15 THE COMMISSIONER: May I just ask you a question?

Me LUTFY: Yes.

THE COMMISSIONER: I know that is a menace of medical committee. We haven't heard about a medical committee yet, I don't think.

20 THE WITNESS: Yes, it is the first document.

Me LUTFY: That's right. I am happy to have Mr. Campion address to that.

THE COMMISSIONER: No, we will go into that-

-

25 Me LUTFY: Or Mr. Chouinard, when he comes.



THE COMMISSIONER: But that is coming in. That will come in later. Thank you very much. I am just trying to keep pace with you, Mr. Lutfy.

5 THE WITNESS: Mr. Commissioner, the first document at the very back of the book refers to the formation of the medical committee, but it is --

THE COMMISSIONER: Oh, I don't think we saw that one.

THE WITNESS: Back in 1983.

10 THE COMMISSIONER: Oh, yes, thank you. Thank you.

THE WITNESS: Of course, the personnel changed as we went along.

THE COMMISSIONER: I understand, thanks.

15 Me LUTFY: The next letter is one dated July 11th, 1984, from Mr. Nesbitt to the Board of Directors. I think, Mr. Commissioner, it is a self-explanatory document, and it is an effort by the Federation to enhance anti-doping measures at the international level. We will be making representations, in due course, concerning the international lobbying efforts of the Federation. This is one (1) early example of it.

20 THE COMMISSIONER: Within the International Weightlifters Association, is that what you are saying?

25 Me LUTFY: That's correct, the International



Weightlifting Federation.

THE COMMISSIONER: All within weightlifting, I guess, this is directed to.

Me LUTFY: I would have said yes. The witness is telling me that I am wrong. So, perhaps, we can let him explain.

THE COMMISSIONER: Alright.

THE WITNESS: Well, we would act within the IWF to approach the IOC, International Olympic Committee.

THE COMMISSIONER: Yes, that's the line of communication, I understand.

THE WITNESS: Yes.

THE COMMISSIONER: Thank you.

Me LUTFY: The next document is a handwritten letter from Mr. Buchanan to Yvon Chouinard, in Mr. Chouinard's capacity as Medical Committee Chairman. Mr. Buchanan, Mr. Commissioner, was the President of the Federation for about two and a half (2-1/2) years, ending in November, 1988, when he was transferred for his professional responsibilities to London, England. This might be a good opportunity for me to invite Mr. Campion to speak about Mr. Buchanan, to tell the Commission what you know about him in terms of his history in weightlifting, and your relationship with him during your ten (10) years at the Federation.





A. Well, he is, like all of us, a former athlete, and of course, became an official from Toronto.

THE COMMISSIONER: Speak for yourself. We are not all former athletes.

5 THE WITNESS: In weightlifting, almost everyone is, yes.

THE COMMISSIONER: Okay.

10 THE WITNESS: He was an official from Toronto. You must realize that the Ontario Weightlifting Association is not quite moribund, but very, very small, weak, and influential. So, Donald Buchanan was active as an official. And when I was Technical Director, and started setting up a lot of technical programs, I realized that I would need volunteers to have titular head of these  
15 programs.

20 The Board of Directors has responsibility for the Canadian Weightlifting Federation, which is a corporate person and cooperated under the laws of whatever it is called in Canada. And the staff essentially doesn't have moral responsibilities. It executes, and supervises, and controls.

25 So, I thought it would be a good idea to set up a post called National Squad Coordinator. It would be a volunteer, who would be the person having moral responsibility for these National Squad activities, that we would



be - and I approached Don Buchanan, and asked him if he would be interested in doing this. And he was quite pleased to be able to reintegrate the Canadian Weightlifting Federation on this level, because, in Ontario, there was not very much activity. And his activities were only officiating at competitions, now and then. He wanted more involvement.

So, he accepted with grace and alacrity, and was a wonderful National Squad Coordinator, helping me a lot in - often he would have to carry the ball in various meetings, because this is what the volunteers sometimes have to do. They have to cover for the staff. And he eventually became Vice-President Technical of the Canadian Weightlifting Federation, and eventually became President of the Federation.

So, it was through the instigation of getting him involved at the National Squad level, that he eventually went up to this level. He is a professional engineer by nature.

Me LUTFY: By profession?

A. By profession, not nature, by profession. He worked in Manhattan actually on the big World Trade Centre project, because Olympia in New York had some of the foundation work, and he works for a subcontractor for Olympia New York. And that is what he is



doing in London. I believe he is working on the big Thames River project.

Q. That's correct.

A. And so --

5 THE COMMISSIONER: Can we have time for an adjournment, or are you going on another subject?

Me LUTFY: Yes, sir.

THE COMMISSIONER: We will take ten (10) minutes.

10

--- ADJOURNMENT

THE COMMISSIONER: Mr. Lutfy?

15 Me LUTFY: Thank you, Mr. Commissioner. Mr. Campion, before we leave Mr. Buchanan, and in the event he doesn't have the opportunity of coming before the Commission, can you tell us Mr. Buchanan's views on the use of steroids in sport in general, and weightlifting, as he would have expressed it to you in your relationship with him?

20

A. Absolutely opposed, it is against the rules. And that's it.

25 Q. Mr. Commissioner, the next document is one that I propose to skip over. It is a technical bulletin dated August, 1984. And the following set of





documents is about a quarter of an inch thick. The first one is dated September 11th, 1984. And it is an exchange of correspondence between the Sport Medicine Council of Canada and the Weightlifting Federation, concerning the positive testing of Messrs. Hadlow and Chagnon in the Los Angeles Olympics of 1984.

THE COMMISSIONER: What date is this starting at?

Me LUTFY: September 11th, 1984.

THE COMMISSIONER: I have it, thank you.

Me LUTFY: I don't think we want to dwell on this in any great detail, unless --

THE COMMISSIONER: Well, it is all here now, and you can highlight it. And you will have an opportunity to refer to it later, if you want, in more detail.

Me LUTFY: That's right.

THE COMMISSIONER: This relates to Hadlow and Viau?

Me LUTFY: Hadlow and Chagnon, as I understand, Mr. Commissioner.

THE COMMISSIONER: Hadlow and Chagnon, thank you.

Me LUTFY: Can you just tell the Commissioner, Mr. Campion, what all this paper is about?

A. Well, essentially, the two (2)



athletes concerned wanted an appeal. They claimed that there were some breaches of the protocol, and that necessitated an appeal. There was a power failure, or I forget exactly what it was. So, the Federation just wrote a letter saying just to advise you that our athletes are going to appeal. And the Sport Medicine Council said thank you, and we reviewed their appeal, and the appeal is denied.

Q. Was there an issue of the timing of the testing, and more specifically, the timing of the announcement of the results, or have I confused incidents?

A. Well, in this - this was the Olympic business in 1984. And everybody was gone, when the results came through. And Keith Nesbitt, who was the contact person, was on vacation. He had gone to his cottage. And nobody could be contacted, to stop these lads from getting on the plane.

So, they got on the plane. And it was only in Los Angeles that they were intercepted, causing a bit of a scandal, because they had to be thrown out of the airport, and all this business.

Q. Okay.

A. And so, there was a lot of letters going back and forth, about how they tried to reach each other, and they couldn't reach each other, and the phone



wasn't working, and blah, blah, blah. So, essentially, that is what it is.

Q. Mr. Commissioner, I propose to move on. Your staff will have an opportunity to review this document, and they can question other officials of the Federation, should it be required.

THE COMMISSIONER: Thank you very much.

Me LUTFY: The next letter, Mr. Commissioner, is one from Rolph Kugelstadt, the then President of the Federation, to Ms. Abby Hoffman. And it is dated October 12th, 1984. I have included in your copy of the material, sir, together with the copies I have provided to my friends, a letter of September 29th, 1984, from Ms. Hoffman to Mr. Kugelstadt. I only found this document late this evening. And unfortunately, it is not in the material. Do you think it would be appropriate to mark it separately?

THE COMMISSIONER: Well, is it as a matter which is dealt with in this prior?

Me LUTFY: Yes.

THE COMMISSIONER: It is the same matter.

Me LUTFY: Yes.

THE COMMISSIONER: We will just insert it. That will be fine.

Me LUTFY: Okay.

THE COMMISSIONER: It is loose now, but we



will insert it.

Me LUTFY: Thank you. So, we are dealing with two (2) letters, Mr. Campion. The first is Ms. Hoffman's letter to Mr. Kugelstadt, the President of the Federation, dated September --

THE COMMISSIONER: What is this about, though?

Me LUTFY: I was just coming to that.

THE COMMISSIONER: Okay.

Me LUTFY: The first letter of the 29th of September is Ms. Hoffman's letter to Mr. Kugelstadt, and his response of October 12th. Now, I understand there was a meeting between Mr. Kugelstadt and Ms. Hoffman on September 29th, 1984. Is that correct?

A. Yes, I believe so.

Q. What was Mr. Kugelstadt's profession?

A. He is a high school teacher.

Q. In Toefield, Alberta, is that correct?

A. Yes, it is a suburb of Edmonton.

Q. And he comes to Ottawa for a meeting with Ms. Hoffman.

A. Yes.

Q. And during the course of that meeting, Ms. Hoffman delivers to him the letter of September 29th, 1984.





A. That's right, hand-delivers.

Q. Hand-delivers it to him during the course of the meeting.

A. During the meeting, yes.

5 Q. And I think you would agree with me if I characterized the letter as being a tough letter.

A. Yes.

10 Q. Can you perhaps summarize for the Commissioner the main points, that Ms. Hoffman is making in this letter to Mr. Kugelstadt?

A. Well, she says, in 1(b) --

THE COMMISSIONER: You can read part of it here. It is very clear what she --

THE WITNESS: Sure.

15 THE COMMISSIONER: What she is saying.

THE WITNESS:

20 "These events  
have undermined  
the credibility  
of your sport.  
Despite these  
effects, drug  
use in weight-  
25 lifting has



been known.

You are

totally

incapable of

developing and

implementing a

plan of action,

to bring it to

heel."

It is a very tough letter.

Me LUTFY: And indeed --

A. The relations were strained between the Federation and Sport Canada, at that time.

Q. And she even puts into question future funding for the sport, by Sport Canada.

A. Yes.

Q. And the last paragraph, can you speak to what Ms. Hoffman, given your knowledge of reviews --

THE COMMISSIONER: Well, she said:

"The Canadian

Weightlifters

Federation will not

be considered



5 eligible for federal  
funding for its  
operations or  
programs beyond  
March 31st, 1985,  
unless the organiza-  
tion develops and  
implements a  
comprehensive plan  
10 for doping control of  
the Squad."

That was the message, I think.

15 Me LUTFY: That's correct. And indeed, she  
was imposing, in the last paragraph of her letter, the  
primary responsibility for all of this on the Federation.

A. Yes.

Q. And indeed --

20 THE COMMISSIONER: Is there anything wrong  
with that?

THE WITNESS: No.

THE COMMISSIONER: You accept that, sure.

THE WITNESS: Absolutely.

Me LUTFY: And that policy was developed.

25 A. Yes.





Q. We will get to it in a moment.

A. Well, the policy had existed before-hand, too. This policy didn't come about because of this letter. You have seen the previous documents. Policy had  
5 been in existence for quite awhile.

THE COMMISSIONER: Well, she was complaining that whatever the intent was, it wasn't working, as she is saying.

THE WITNESS: Obviously, yes.

10 Me LUTFY: I would like to turn to the response to Ms. Hoffman of October 12th, and ask you to speak to the issues which are raised at item 2 at page 2.

A. Well, the President, Mr. Kugelstadt, underlines once again that, as early as 1978, we had been  
15 trying to get money for doping controls, and it wasn't available. What else can I say? He said we have been working very hard, and we have had bad press. We are still working very hard. We are understaffed. We are underfunded. And now, the money is available, thanks to the  
20 Caracas Pan American Games.

Q. If I may read for the record, at that item he says:

" T h e C W F  
25 executive, at



the time, felt  
that the  
problem was  
getting out of  
hand, an  
opinion  
obviously not  
shared by  
others,  
including Sport  
Canada, since  
we were told  
that no special  
funds were set  
aside for drug  
testing, and  
that if we  
wanted to test,  
the funds would  
have to be  
diverted from  
other programs.  
This proposal  
would have been  
extremely



difficult to  
sell the  
Federation,  
which had  
trouble funding  
its existing  
programs, and  
was still  
wincing from  
the effects of  
mismanaging FAS  
funds by the  
previous  
administration,  
and having to  
repay thousands  
of dollars in  
misappropriated  
funds."

I take it there was a little bit of a  
difficulty within the Federation.

A. Yes, yes.

Q. And I think if we want to get a spirit  
that existed between Mr. Kugelstadt and Ms. Hoffman during



that meeting, and in this exchange of correspondence, we could refer to the last paragraph of the letter, where he says:

"I do not like to resolve issues by having a gun held to my head. I rejoined the CWF as an active and properly elected member of the executive, because I felt that I could bring about some necessary and positive changes in the Federation. I am willing to work hard, and face many obstacles, but I am not willing, in the future, to have my intelligence insulted nor work in clandestine operations."





Are you privy to - were you at the meeting yourself?

5 A. No, I wasn't, but, as I said, there was - this was a period of strained relations between Sport Canada and the Federation, not to say bad blood.

Q. And this exchange took place in the more or less immediate aftermath of the Los Angeles embarrassment.

10 A. Yes.

Q. And I take it that - I am referring now to the following document in the next section, Mr. Commissioner - that Mr. Kugelstadt would have asked you for some background as to what had happened in the past, and you provided him a four (4) page report dated November 15 5th, 1984.

A. Yes.

Q. I propose to leave this document, Mr. Commissioner. It is a good document. I think it summarizes many of the things the Federation had done to date. And it is something that we can come back to on another day, once your staff has had a chance to review it, and assist you.

25 THE COMMISSIONER: Thank you.

Me LUTFY: The next document is one from



Claude Ranger to you, Mr. Champion. He was writing in his capacity on December 12th, 1984, as directeur exécutif de la Fédération d'Haltérophilie du Québec. I don't want to address the document. We will do that with Mr. Ranger.  
5 But given your own involvement with the Fédération d'Haltérophilie du Québec, and in the event no one from that organization comes before the Commission, can you tell the Commissioner what you know about the organization of the weightlifting sport in the Province of Québec, under  
10 the umbrella of the Fédération d'Haltérophilie du Québec?

A. Well, it is the best organized weightlifting organization in Canada, quite simply. It has control over relatively small territory, Québec as compared to Canada, for example; has a lot of volunteers; a very  
15 strong Board of Directors. Many people run for election, when elections come up, showing that there is a great interest in the administrative or the policy level.

The federation is divided into administrative regions, according to the plan of Les Jeux du Québec, I  
20 believe. It is divided anyway into regions according to government scheme. And each region is represented. It is a federation in Québec, and not an association. A lot of organizations are only associations, which generally mean that any member can be present at the Board - at the annual  
25 general meeting.



But, in Québec, a "fédération" means that every organization, every small region, must organize to elect a representative. And only the representative can vote at an A.G.M., or at a meeting, not the individual members. And this forces them to organize. And so, the organization is very, very good in Québec: excellent officials, lots of good coaches.

And on the level of performance, sometimes eighty (80), eighty-five percent (85%) of National teams are made up of Québec athletes, and the National Squad coaches, eighty percent (80%) from Québec. So, Québec is very well organized, and very successful.

Q. What about the organization of clubs, under the umbrella of the federation?

A. Very well organized, a club has to have a structure in Québec. It has to have a directorate, if only - I think it is at least three (3) members. It has got to have a President and two (2) directors. It has to have a meeting. It has to have, if you will, some kind of paperwork. It is not just a bunch of people who get together. It is a very structured organization, and very, very powerful; very viable; lots of good ideas; lots of changes.

Q. Would you have an idea of the number of clubs, weightlifting clubs, in Québec today?



A. Today, no, I don't.

Q. Mr. Commissioner, with your permission, I propose to skip over the next letter of December 17th, 1984. The following letter is one from Mr. Chouinard to Dr. Robert Dugal of December 21st, 1984. I can tell you, sir, and we can come back to it when Mr. Chouinard is before you, that this letter is an effort to involve Dr. Dugal in the learning curve that the Federation was on, with respect to drugs in weightlifting. You will hear evidence that this letter of December 21st, 1984, remained unanswered.

And if you want to make a note on your copy, sir, later on in the material, we have a memorandum to file or a memorandum, I think, to one of the committees, dated February 1st, 1985, which notes the fact that, to the best of our knowledge, this letter remained unanswered.

THE COMMISSIONER: Alright, just give me a moment, please.

Me LUTFY: The document in question, dated February 1st, 1985, is a note --

THE COMMISSIONER: I am still reading the letter of the 21st of December.

Me LUTFY: Yes.

THE COMMISSIONER: So, I can find out what is being said to Dr. Dugal. And at the very end, he asked for







the comments, as I read it, from Dr. Dugal.

Me LUTFY: That's correct, sir. Well, I don't propose to go into any greater depth than this. Mr. Campion is aware of the letter, and its contents, and its purpose, but so is Mr. Chouinard. And I think --

THE COMMISSIONER: Alright, thank you.

Me LUTFY: To accommodate time. As I say, where it is noted that the letter remained unanswered is a memorandum of February 1st, 1985, from Mr. Chouinard in his capacity as Chairman of the Medical Committee to his fellow committee members.

THE COMMISSIONER: Thank you.

Me LUTFY: And in the next letter of January 8th, 1985, Mr. Campion, Mr. Buchanan is writing to Mr. Chouinard, suggesting that he brings the problem of the use of banned substances to the attention of various medical associations in our country. Is that correct?

A. Yes, the Canadian Medical Association.

Q. And we will see that it took time to get it done apparently, but sometime later in this material, we see that letters were, in fact, written by the Federation to one (1) or two (2) medical associations in Canada.

A. Yes.

Q. The next section of materials, Mr.



Commissioner, has to do with something that your counsel and I have called the Super Heavy Event. And I think it would be helpful to the Commission to have Mr. Campion address that issue with a few words.

5 THE COMMISSIONER: Alright, that is when the Soviets were here?

Me LUTFY: That's correct. And the section of the material that we are at begins with a handwritten letter from Mr. Buchanan to Mr. Kugelstadt, and is dated  
10 January 8th, 1985.

THE COMMISSIONER: Alright, will you put this in context? What date are we talking about now?

Me LUTFY: The first letter is dated January 8th, 1985. The event occurred in Toronto in December of  
15 1984.

THE COMMISSIONER: Alright.

Me LUTFY: And can you speak to the issue --

THE COMMISSIONER: Well, you might just tell us about the event. I have read about it.

20 Me LUTFY: The event, as I understand it-- well, the witness should do it.

THE COMMISSIONER: Well, let the witness tell us what --

Me LUTFY: Could you tell the Commission  
25 about the event --



THE COMMISSIONER: Was he there?

Me LUTFY: Who sponsored it, where it took place?

THE COMMISSIONER: And was he there? You  
5 were in Toronto?

THE WITNESS: Yes, of course.

THE COMMISSIONER: Right.

THE WITNESS: Of course.

Me LUTFY: The problem that arose, its  
10 resolution, and the involvement of the Minister in the resolution?

A. This was a very strange event. I must tell you that. It took place in the beginning of December, 1984, in Toronto.

15 THE COMMISSIONER: Can I just go back? I am trying to see, this letter is from Mr. Buchanan to Mr. Kugelstadt.

THE WITNESS: Kugelstadt.

Me LUTFY: The President.

20 THE COMMISSIONER: Right.

Me LUTFY: And perhaps after you describe what the Super Heavy Event was, Mr. Campion, you can take your answer through the chronology of Mr. Buchanan's letter. That may be of assistance to the Commission.

25 A. This was a very strange event. It was



called the Super Heavy Weight Gala or a strange name. And it was not really on the International Weightlifting Federation's international competition calendar. And when I was in Los Angeles in 1984, at the Olympic Games, I was  
5 approached by Tamas Ajan, the Secretary General of the International Weightlifting Federation. And he said to me, "Richard, you are running the Super Heavy Weight Gala in Toronto in December, 1984". And I said, "I am?" I didn't know anything about this event.

10 THE COMMISSIONER: Well, when we have events in Toronto, they are all galas.

THE WITNESS: That may be. But as I said before, the Ontario Weightlifting Federation, while not being moribund, is not very lively.

15 THE COMMISSIONER: Well, you certainly didn't give it much of a build-up.

THE WITNESS: No. And I asked Tamas, I said, "Well, what do you mean I am running this?" He says, "Well, I have signed a contract with ABC and with IMG",  
20 which is the International Management Group run by Mark McCormick out of Cleveland, "to promote this on TV". And I said, "Tamas, you didn't consult the Canadian Weightlifting Federation Board of Directors, the executive. Nobody know about it".

25 THE COMMISSIONER: I'm sorry, who was this





gentleman?

THE WITNESS: Tamas Ajan, General Secretary  
of the International Weightlifting Federation.

THE COMMISSIONER: IW.

5

THE WITNESS: IWF, yes.

THE COMMISSIONER: What are the initials, IW?

THE WITNESS: International Weightlifting  
Federation.

THE COMMISSIONER: IWF.

10

THE WITNESS: IWF.

THE COMMISSIONER: Right.

THE WITNESS: And I said, "Tamas, you are  
running this event in Canada, in Toronto, maybe the worst  
city in Canada to run the event".

15

THE COMMISSIONER: Pardon?

THE WITNESS: Maybe the worst city to run the  
event, given the lack of weightlifting in Toronto. There  
is no weightlifting in Toronto.

20

Me LUTFY: You can no longer challenge this  
witness' candour, Mr. Commissioner.

25

A. I said, if anything, Montreal would be  
better or - anyway. He says, "Well, it is too late, and  
we have got to run this thing. We have got to put it on".  
So, of course, the Federation had not much choice except to  
bend to this demand.



Q. What happened to lead to athletes being charged?

A. Well, you asked me to tell the story. You are going to have to wait for me, Maître. So, when I came back to Canada, I was all of a sudden responsible for running this event, because IMG is only a promotional group, knows nothing about weightlifting. They sign up athletes for commercials.

I contacted Claude Ranger, who was the Technical Director of the Canadian Weightlifting-Fédération d'Haltérophilie du Québec. And together, we went down to Toronto to organize the physical organization of this competition. It was going to be held in a hotel ballroom on a stage, which would have to support two hundred and sixty (260) kilos falling from two (2) meters twenty (20) height, a very difficult thing to do, let me tell you.

So, we were down there for four (4) or five (5) days, working, trying to get volunteers from the Toronto area. We finally got some volunteers from the Jewish Community Centre. And we were working, trying to get things going. And all of a sudden, there is the news. The Soviet athletes are positive.

Well, Claude and I said, well, that's too bad, we have got other things to do. We continued trying



to get the venue --

THE COMMISSIONER: Well, I thought they were charged for --

5 THE WITNESS: I'm sorry, they had steroids, yes, in their bags.

THE COMMISSIONER: Right.

Me LUTFY: So, they were charged at the airport.

A. Mirabel.

10 Q. For whatever the charges --

A. Importing --

Q. Importing --

A. Anabolics to Canada.

15 Q. And they pleaded guilty. They were fined, and they were released?

20 A. That all took place somewhere else, in Mirabel, yes. They appeared before a Judge in Mirabel or St-Zotique, whatever it is. They pleaded guilty. Apparently, somebody from their Embassy was with them. They were fined whatever they were fined, fifty dollars (\$50.00), one hundred dollars (\$100.00). They were released.

Q. Did this jeopardize the scheduling of the event, the taking place of the event?

25 A. As far as - no, it couldn't, because



this hotel, at the Sheraton Centre, was booked for that one  
(1) night for this gala. It had to go on. And we had to  
get this thing organized on the day of the gala itself. We  
had to put support structures under the stage, and support  
5 it, and anyway. These administrative and judicial,  
juridical problems were organized by somebody else.

So, finally, the athletes arrived with their  
coach. And in the meantime, as you can see from Donald  
Buchanan's correspondence, many, many, many meetings took  
10 place. I was present at only one (1) meeting on December  
7th, with Tamas Ajan and Don Buchanan. And that was in the  
coffee shop at the Sheraton.

And we had a meeting, and he said, "This is  
terrible, what are we going to do?" And I said, "Tamas, I  
15 am setting up the stage. I don't know what you are going  
to do, but I have nothing to do with this". Anyway, the  
whole thing was - there were other meetings that took  
place, conference calls between the executive people. The  
Minister of State for Amateur Sport, Otto Jelinek, was at a  
20 meeting held at 5:00 with Godfrey Tsurtle (?), the  
President, and all of these various people.

A press conference was held, and the upshot  
of it was that this competition was under the aegis of the  
IWF. The CWFHC was not sanctioning this meet, who was  
25 parachuted upon us. And that Canadian officials would not







participate in this competition. They would be removed. So, the officials came from the United States, and from other countries, but Canadian officials did not participate in the competition.

5                   And the competition eventually took place. It was, as you said, a gala, Mr. Commissioner. It was a real big circus.

                  THE COMMISSIONER: Well, that is not quite the same.

10                  THE WITNESS: I know, but it was kind of a circus gala. It was a big show, a big sellout. IMG made a lot of money.

                  THE COMMISSIONER: But the Canadian athletes didn't participate, either?

15                  THE WITNESS: Well, there were no Canadian athletes invited.

                  THE COMMISSIONER: Oh, I see.

20                  THE WITNESS: No, because in that particular body weight category, we did not have any international athletes. These were only one (1) category athletes, plus one hundred and ten (110) kilos. So, that is essentially what I know about it.

25                  Me LUTFY: Thank you, Mr. Campion. We addressed this issue, Mr. Commissioner, because sometime earlier in January, your counsel asked what we knew about



the event. We provided him with a memorandum from Mr. Ranger, which gave substantially the same version. There is a letter there from Mr. Jelinek to Mr Ajan, the President of the IWF, stating his position with respect to the incident. And there is also, in the material, a letter from Mr. Buchanan dated December 10th, 1984.

THE COMMISSIONER: Well, he wanted them banned from participating, didn't he?

Me LUTFY: I think so.

THE COMMISSIONER: Because I read this newsletter, this news report, alright.

Me LUTFY: In any event, we wanted to get that on the record, sir. Mr. Ranger also is involved in it. And we can come back to it, when he is with us. The next document, Mr. Commissioner, has to do with the issue of provincial testing. And I would like to speak to that issue in short order, if you would, Mr. Campion.

A. Well, as this --

Q. I take it this is a new level, a new initiative, by the Federation to go beyond National Squad testing.

A. Well, as things developed, we became, if you will, more sophisticated. And we decided that we would go down even to the provincial level to test. And you must realize that, in most Provincial Championships,



the athletes are certainly not on the National Squad level, but we were testing then not only on the elite level. And of course, all of our athletes were subject to testing at international competitions. We were testing before they  
5 left Canada. We were testing at every event under our jurisdiction. We even went down to test on provincial level, which would be, if you want to give A,B,C, we were testing level D athletes in some instances.

But to make it clear that this was an all  
10 encompassing policy. It did not concern only elite athletes. This was a policy of the CWFHC, and it touched every person in the Federation, from the very grass-roots level to the very highest level. They were all subject to random doping controls.

15 Q. Mr. Commissioner, the next document is on the letterhead of the Canadian Weightlifting Federation. Is this - Mr. Campion, the attachment to this letter is the doping control procedures of the Sports Medicine Council of Canada. Am I right in saying that this document  
20 of January, 1985, is related to, in the sense that it deals with the same subject matter as your memorandum of April 30th, 1984, concerning what you called SOP's?

A. Yes.

25 Q. And you were working with Ms. Dixon of the Sports Medicine Council of Canada, to assist her, both





the two (2) of you together in developing the Council's doping control procedures.

5           A.       Well, by this time, I was not collaborating with her too much. It was before that I was doing it, for the 1984 business. And they published a more - my original publication was just on our little letterhead, telling the officials what to do. It was an SOP, very rapid. They developed a more - a nicer brochure, better presentation, but they essentially did the same thing: here is how you take doping samples, and here is  
10           how you do it.

          Q.       The next letter, Mr. Commissioner, is one on the letterhead of the Fédération d'Haltérophilie du Québec, dated January 30th, 1985. You will see there what  
15           I interpret as being a little bit of a difference of emphasis, or maybe even a difference of a view, between the Québec Federation and the National Federation on the allocation of resources, how much to be spent on testing, how much to be spent on research programs for recovery in  
20           high performance training without the use of drugs. I don't propose to go into it, sir.

          THE COMMISSIONER:   Alright, thank you.

          Me LUTFY:   Mr. Chouinard was copied with it. I am confident he is familiar with the subject matter.

25           THE COMMISSIONER:   Thank you.





Me LUTFY: And we can go back to it on another day.

THE COMMISSIONER: That will be fine, thanks.

Me LUTFY: The next document is the one I referred to earlier, Mr. Commissioner. It is dated February 1, 1985. It is Mr. Chouinard's memorandum to his fellow members on the Medical Committee. And he refers to the fact that:

" The C W F  
M e d i c a l  
Committee is  
presently not  
moving forward,  
mostly because  
Dr. Dugal of  
INRS Santé is  
stalling us by  
not getting  
involved. Many  
times I have  
phoned his  
office, and let  
messages. I  
wrote him a



letter of  
assistance."

5 THE COMMISSIONER: That is the letter you  
referred to earlier.

Me LUTFY: That's right. I am sure you are  
going to get Mr. Chouinard's testimony on this, Mr. Dugal's  
testimony. There will be a variance in views, no doubt.  
And the material is there for your investigation, sir.

10 THE COMMISSIONER: Thank you.

Me LUTFY: I will invite you to skip over the  
next document, which is more information concerning provin-  
cial testing. I would like to pause, if I would, on Mr.  
Campion's letter of February 14th.

15 THE COMMISSIONER: Just give me a minute now.

Me LUTFY: To Mr. Heikkila of Sport Canada.

THE COMMISSIONER: Yes?

20 Me LUTFY: And I would invite Mr. Campion to  
refer to the first complete paragraph on page 2, where you  
state:

"Our past experience  
does not encourage us  
for future testing.

25 We are very concerned



with the eradicating  
the use of banned  
substances. We have  
suspended, and will  
5 continue to suspend  
anyone contravening  
the rules and regula-  
tions concerning the  
use of these  
10 substances. We have,  
however, little  
confidence in the  
other intervening  
parties, notably the  
15 SMCC and the INRS  
Lab."

Why did you say that, Mr. Campion?

A. Well, in many instances, staff has to  
20 work - it works under the direction of the Board. And the  
Board, at this time, was very concerned with what can only  
be considered confidentiality, or breach of confiden-  
tiality, or lines of communication.

The Canadian Weightlifting Federation, as you  
25 see, going back quite far, has always been against doping,



has tried to uphold sportsmanship and fair play. We haven't always gotten very good press, but on one (1) of our doping controls, we, in the Federation, found out that athletes were positive when our French radio station in Montreal broadcast the news. It knew that the results were positive, when we didn't.

THE COMMISSIONER: Where was that, though? When, in what?

THE WITNESS: It was previous to this letter.

THE COMMISSIONER: No, I know. In what --

THE WITNESS: Of February 14th, 1985. I don't know. We had so many tests, Mr. Commissioner, I don't know exactly which one it was.

THE COMMISSIONER: Okay.

THE WITNESS: We found out that athletes were positive, when a radio station broadcast a news bulletin, and said it. And the Board was wondering what is going on. Who gets the information coming from the doping control tests?

The Federation had no intention of hiding the results. But the Federation was very concerned that it should get the results, and it should publicly announce the results, along with the subsequent sanctions that were going to taken. And the Federation felt that it was being badly served by finding out through the radio, that some of





its athletes were positive.

5 This caused a real kerfuffle in Ottawa, because Abigail Hoffman was not pleased either. This was not just us. And the Sport Medicine Council of Canada was not pleased. And the INRS Lab was not pleased. Everybody concerned was very concerned about this, and that is why I wrote this in the letter. Concern is very nice, but the Federation felt badly served.

10 Me LUTFY: Thank you. Mr. Commissioner, I propose to skip over the next letter from Mr. Campion to Mr. Sorensen of February 28th, and pause for a moment on the next section of materials, the first sheet of which is a handwritten note from Yvon, who is Yvon Chouinard, to Richard Campion. And the attachment to that, Mr. Campion,  
15 is a four (4) page minute of a meeting of the Medical Committee of March 17th, 1985. I would invite you to address your attention to page 3, paragraph 6.

A. Yes.

Q. One moment, please.

20 THE COMMISSIONER: Thank you.

Me LUTFY: Mr. Commissioner, we are --

THE COMMISSIONER: I know, we --

Me LUTFY: At page 3 and paragraph 6 of a minute of March 17th, of the Medical Committee's meeting.  
25 There is reference to doping control measures other than



the actual testing, where you and Mr. Silcoff and the witness got into a little exchange earlier this morning.

THE COMMISSIONER: On semantics.

Me LUTFY: I thought it was semantics, but--

5

THE COMMISSIONER: I didn't think so, but we

--

Me LUTFY: Beauty is in the eye of the beholder. Can you tell the Commissioner, Mr. Campion, what is spoken to at paragraph 6 of page 3 of that memorandum, in terms of these other measures you were trying to implement?

10

A. Well, part of a doping control program, and this is within the guidelines, of course, of Sport Canada, is testing, but an education program had to be set up also. And we addressed that program. I must say that --

15

THE COMMISSIONER: At what paragraph?

THE WITNESS: At paragraph 6.

Me LUTFY: Paragraph 6 at page 3.

20

A. Talking about an education program.

THE COMMISSIONER: Thank you.

THE WITNESS: I must say that I, as Technical Director, was a bit at odds with my Board of Directors about an education program, because I said to them, and I

25



believed that the education program that we needed was to read the rules to the athletes, tell them that this was against the rules. And that is as far as their education had to do. But we had to set up an education program  
5 in the framework of an education program. We addressed ourselves to the resources of the Sport Medicine Council of Canada, which has this particular expertise. And Patti-Jo McLellan Shaw, I met with her several times, and Joan Dixon.

10 And François Perronais was the name that was given, as one of the resource persons on their doping committee. And so, I contacted Dr. Perronais, Professor Perronais, from the University of Montreal. He did come up to our training camp. He did give a lecture. He did  
15 meet with the athletes. He had a video, I believe, also.

So, this was one of the steps we took in education. And one of the other educational steps was, at these training camps, I would get up among the athletes, and I would read the rules to them, and tell them that this  
20 was against the rules. And that is the way it goes. That was the first education. What are the rules, and what is against the rules.

But we did undertake an education program, using resources of specialized people, because we didn't  
25 obviously have medical expertise or biological expertise.





Me LUTFY: Thank you, Mr. Campion. The next section of material are four (4) sheets of paper, four (4) letters, dealing with this issue of selective testing versus random testing, and certain months of year. Again, without addressing each specific document, what, generally speaking, is the issue here between yourself and the Sports Medicine Council?

A. Well, when I set up my doping control procedures, if you will - sorry, when I worked with Ole Sorensen to set up the calendar of doping controls, we had the camps in Canada, we had the competitions in Canada, where we would be testing people. And by chance, these happened to be in February, March, April, May, June, and August. And in the letter, she says what about the other months of the year.

And well, it just happened that those were the events that we had scheduled. It was no bad will. But our athletes, at the other periods of the year, would be tested by other organizations. And that must be remembered. We are talking about our domestic program. But when our athletes, in August - I'm sorry, September or October, went to the Senior World Championships, they would be tested by another organization, but not in Canada.

So, she was just saying maybe you should try





to get testing at other months of the year, also. So, that is what she means by selective testing here, I believe.

Q. And the next section of materials has to do with an exchange of correspondence between yourself and Ms. Shaw, concerning sample B. What is all that about?

A. This is getting a little foggy in my memory, but when an athlete gives a sample, he gives a fairly large measure of urine, which is then divided into two (2) smaller recipients labelled A and B. And these are then frozen or put in dry ice, and sent over to the lab.

And when the lab tests, it tests the A sample. And if that sample is negative, it destroys the B sample. If the A sample is positive without going through all the administration, the B sample is eventually tested. And if it is positive also, then the lab sends a letter saying athlete number so and so, so and so, had a positive test result.

And in this instance, they said that the first A sample was - I forget, was it inconclusive or they wanted to - they wanted another sample of urine from the athletes. But, of course, by now, the whole procedure, we had tested and took the urine, was history. They were gone somewhere else.

And we said no, we don't need another - open the B sample, and test the B sample. If the B sample is



positive, these athletes will be suspended. We don't need another test. And that is essentially what it was.

Q. I take it then, during this period, we are all on a learning curve.

5 A. Yes.

Q. There are some tensions between your organization and other governmental, and para-governmental organizations.

A. Yes.

10 Q. That seems to be highlighted in a letter that you wrote to Ms. Shaw on March 25th - excuse me, March 29th, 1985, which is further ahead in the material. And you are sort of defining your view as to what the MCC's role should be in testing, as opposed to  
15 the National Sport governing body's role in testing.

A. Yes.

Q. I take it, I don't mean this in any pejorative sense, there were bureaucratic frictions, but it is your view that everybody was more or less working  
20 together, to try and be more effective in testing.

A. Absolutely, we had problems. The Canadian - the Board of Directors, and I think generally in our Federation, people felt that they were the whipping boy, that they were the object of - some people even used  
25 the word vendetta. I don't believe that was the case. I



didn't believe it, then. And I think today, with retrospect, I can't speak for anybody on the Board, but I think that they would say that they were not the object of a vendetta.

5 But things were evolving and developing. We did doping controls in Brossard, 1984, before the SMCC could develop an SOP. We developed our own SOP with Joan Dixon at the SMCC. We went ahead. The SMCC was all of a sudden, and I say all of a sudden, it was loaded with this  
10 burden of doing doping control testing.

And I think, once again without speaking for these people, I think that these scientists, and doctors, and researchers would prefer to do other things than collect and test urine. I think that they want to do other  
15 things in life. And so, they were saddled with all of these procedures, and getting the kits, and mailing them out. And Sport Canada was saddled with bad press. And everybody was in a very bad situation, and tensions were fairly high.

20 But I don't think that it is fair to impugn the motives of anybody. Everybody, from the very top of every organization, had one (1) thing in mind: sportsmanship and fair play, eradicate the use of banned substances. And we were all going at it as best we could, under  
25 difficult circumstances.





Q. Some people, during the course of this inquiry, have allowed themselves to be quoted in the media at least, as putting into question the integrity of the testing by your Federation, to the extent that those testing procedures involved Federation officials. And indeed, further ahead in the material, we have included for Commission a sample of 1985 tests, which clearly show that the testing was done with the involvement with Federation officials. And indeed, these particular documents show that the officials in question were Lionel St-Jean and yourself, Mr. Campion.

Me MORROW: Mr. Lutfy, could I have the reference in the material to that, please, sir?

Me LUTFY: Yes, if you go further --

Me MORROW: Do you have that document, sir?

Me LUTFY: Yes, if you go further ahead, Mr. Morrow, you will see some correspondence that I have skipped over, between Amateur Sport and the Federation of April 24th, 1985. I skipped over correspondence between Mr. Campion and Perronais, which Mr. Perronais was --

THE COMMISSIONER: You are going too fast, Mr. Lutfy.

Me MORROW: You are going too fast.

Me LUTFY: Sorry.

THE COMMISSIONER: Okay, where are you now?





Me LUTFY: Well, I am just trying to help Mr. Morrow, and telling him where I am. I am towards the front of the book, where there is about twelve (12) samples of testing forms. And the issue I want - have you got them, Mr. Morrow?

Me MORROW: No, I have got the doping control forms. Is it ahead of that?

Me LUTFY: No, it is there. That is what I am referring to.

Me MORROW: That is what you are talking about. And what is the reference in the media, that you are referring to as well, sir?

Me LUTFY: Well --

THE COMMISSIONER: That is not very helpful.

Me LUTFY: I don't think that is very helpful

--

THE COMMISSIONER: I don't think --

Me LUTFY: No, but I want to address the issues, sir. I don't want to get personal. I have read in reports --

THE COMMISSIONER: Well, no, but unless it is before me, I am not interested what --

Me LUTFY: Well --

THE COMMISSIONER: Any comments made --

Me LUTFY: The reason why I --



THE COMMISSIONER: To the media by a witness. You know my views on that, Mr. Lutfy. It is not helpful, not fair, for people who participate in these proceedings, to also speak to the media on matters which are not said  
5 here. And I am not going to allow this inquiry to be diverted by examining people on what is said in the media, unless it has been said in this room.

Me LUTFY: For reasons for which you are aware, sir, I was not in Toronto for your hearings. I have  
10 not read the transcripts of those hearings. And I see things in newspaper reports, and it is not always available to me to know --

THE COMMISSIONER: No, I know, but we will always --

Me LUTFY: What evidence you have received, and what has been said to media.

THE COMMISSIONER: Well, you know that that is of no interest to me.

Me LUTFY: In any event --

THE COMMISSIONER: I am concerned with what I  
20 hear here. And it is not fair to anybody for any person who participates, or comments on matters in the absence of those that are interested. And I am not going to allow Cross-Examination of what is being said outside the  
25 inquiry.



Me LUTFY: Thank you, sir.

THE COMMISSIONER: We will never get finished, and it is not relevant at all. It is a completely - you know, those statements made are not made in the presence of others. They are not made under oath. And it is very unfair for people to do that. And I have asked people not to do it, and I made that clear in two (2) opening statements I made in Toronto. In any event --

Me LUTFY: I appreciate your comments. I find them helpful. If you would allow me, just before I leave this material, for example --

THE COMMISSIONER: You can ask him a general question, what his position is on a certain matter. Just ask him here, without any reference to anybody else.

Me LUTFY: The point, I guess, this material - and if you will allow me to lead the witness for just a moment, Mr. Commissioner, the point of inserting this material is to show to the Commission that the testing was being done by Federation officials. And indeed, there were people who were testing negative, but there were people who were testing positive. And we were disciplining them, weren't we, or the Federation was?

A. Well, the doping control procedure is such that the urine sample is always taken only by officials of the sporting discipline. In every case, when



a doping control was done in weightlifting, it was weightlifting officials who took the samples. When it is done in athletics, it is an official from athletics who takes the sample. And some of the athletes are positive, and some are negative. We have no control over that. We just collect the urine, and put it into the bottle.

Q. And the first example amongst that material is the testing of Robert Choquette on June 13th, 1985. Were you part of that, Mr. Campion? Yes, you were.

A. I obviously was. I signed the doping control form.

Q. And he tested positive on that occasion.

A. I don't know. I guess so, you said so.

Q. Well, I think other evidence before the Commission will show that --

A. Yes. No, I mean I can't remember everybody who was positive --

Q. I appreciate that.

A. Every time.

Q. I am getting towards the end of the documents, Mr. Commissioner. There is one dated October 2nd, 1985. It is a letter from Sorensen to Mr. Campion. And they refer to a - the letter refers to the Federa-







tion's 1985/1986 anti-doping activities. And I would like to refer to Exhibit 100 - excuse me, Exhibit 99. And immediately after Mr. Kulesza's contract, and Mr. Kulesza's job description, there is a document entitled "National Sport Organization Doping Control Policy and Plan".

THE COMMISSIONER: Are we going from left to right, this time?

Me LUTFY: We are going the proper way this time, Mr. Commissioner. We are going from left to right.

THE COMMISSIONER: After the job description?

Me LUTFY: That's correct, after - yes, the-

-

THE COMMISSIONER: And the contract?

Me LUTFY: Yes, that's right.

THE COMMISSIONER: Alright, go ahead.

Me LUTFY: Now, I take it this is a form developed by Sports Canada, Mr. Campion?

A. I don't - I can't find it right now, but you showed it to me once before, and yes, it is part of the QPP, I think.

Q. I would like you to have it, because it will be difficult to do this, otherwise.

A. Where is it located in here? I can't find it.

THE COMMISSIONER: Right after the discus-



sions - the parts that deal with Mr. Kulesza, after the contract renewal provision.

THE WITNESS: I can't find that. Yes, it looks like a form from Sport Canada.

5 Me LUTFY: And you would have been involved with Mr. Nesbitt, under the authority of the Board, to develop this formal policy, if I may use that phrase?

A. Yes.

10 Q. And really, it is the Federation's effort by way of filling in the Sports Canada form, and by way of attachments, to bring to the attention of Sports Canada where the Federation was at, in terms of doping control procedures. Is that correct?

A. Yes.

15 Q. Again, Mr. Commissioner, the document is an important one for us. I think it, more or less, represents a summary of the main measures taken by the Federation, at that time. And it can be spoken to, when other Federation officials come before you.

20 THE COMMISSIONER: Alright, I'll just make a note here.

Me LUTFY: I just wanted to bring it to your attention.

25 THE COMMISSIONER: Just give me a moment. Thank you.



Me LUTFY: By way of summary, Mr. Campion, I would have two (2) questions. You have been involved in this sport, as I said earlier, as an athlete, a volunteer, and a full-time employee. What is your notion of your responsibility, of the organization's responsibility, of the responsibility of other organizations, with respect to the use of banned substances in sport in general, and in weightlifting in particular?

A. Well, it is clear to me that individuals have individual responsibility, whether he is an athlete or a coach. If he decides to do something that is against the rules, it is obviously wrong, and he is responsible for his actions, and anything that happens to him because of this decision.

However, on a higher level, assuming the responsibility of individuals, we have what are called National Sport governing bodies. And these bodies have authority. They are the only authorized agency within a country to operate certain disciplines, whether it is weightlifting, or wrestling, or swimming.

There are not fourteen (14) organizations authorized and accredited by the IWF, to run weightlifting in Canada. There is one (1) organization, and it is the National Sport governing body.

And along with this authority goes respon-



sibility. And there is no doubt in my mind that this Canadian Weightlifting Federation or the Canadian Track and Field Association, or whatever the organization is, you are a lawyer, you know that this is a person that has a corporate personhood entity. It is incorporated under laws, and under the Letters Patent of this organization, and according to the constitution and bylaws, which ratify and sanction its activities.

The responsibility for this organization rests in the hands of the President and the Board of Directors. They have the moral and financial responsibility for the activities of this organization. And I think the Canadian Weightlifting Federation acknowledges, and welcomes, and accepts this responsibility.

And I think it is clear from what we have seen that, from the very beginning, our Board of Directors have accepted their responsibility, and taken as many measures and steps as possible to fulfil the responsibilities inherent in the authority, given to them under the charter of our organization.

So, the responsibility is on two (2) levels. The individual, who decides in his own head for whatever his own reasons, well-meaning, ill-meaning, well-founded, muddleheaded, whatever, to do something, is responsible for what he does, and must accept the responsibilities for







his actions. And the Board is responsible for the activities of the Federation, and for promoting policies, and promulgating these policies, and actively selling its policies to the members.

5 I also think that if, in fact, and it seems to be the case here, we have a case where high level members of the athletic community in weightlifting, or elite athletes, obviously worked in connivance with each other in a very under the table way, in secret, among  
10 themselves, after signing documents saying that they would respect the rules, knowing that they wouldn't. This is a clear rejection by our highest profile members of the policies stated by the Federation and by the Board. And it seems to me that, in the tradition of the British Par-  
15 liamentary System, when a policy has been rejected by the members, that those responsible for this policy have only one thing to do. And that is to resign.

I believe that the well-meaning efforts of the Board to correct and rectify have solved nothing, as  
20 you can see. Athletes are still doing, under the table, what they want to do. They don't tell anybody about it. They don't have a press conference.

THE COMMISSIONER: Please, now, don't say that. We know what they have done, and --

25 THE WITNESS: They had no press conference,



in 1983, to say what they would do. Retroactively, they tell you what they did.

THE COMMISSIONER: Well, please, now, you just - I don't know what you are doing, but --

5 THE WITNESS: Anyway, I am taking responsibility --

THE COMMISSIONER: We know what it was, and it wasn't a secret. It wasn't a secret.

THE WITNESS: That is not what I heard.

10 THE COMMISSIONER: Well --

Me LUTFY: Mr. Campion, how did you see, on the issue of responsibility, the Federation relation to the other governmental and para-governmental organizations?

15 A. Well, I think the Federation would accept the truth that it is the National Sport governing body. Sport Canada is not a sport governing body. It governs - it has no Letters Patent to govern any discipline in Canada, as far as I know. It is not a member of any international sport governing body.

20 The IWF is the international, and the CWF is the Canadian body, and the FHQ is the Québec provincial body.

25 Q. During the time you were at the Federation, in terms of your personal relationships with the volunteer members of the Board, did you ever have any



reason to doubt the commitment of each of those members, and of the Board as a collective unit, to the prohibition of the use of banned substances in their sport?

A. Never.

5 Q. Thank you for your patience, Mr. Commissioner. Thank you, Mr. Campion. Those are my questions.

THE COMMISSIONER: Any other questions? Mr. Morrow?

10 Me MORROW: I am going to be brief, My Lord.

THE COMMISSIONER: Good.

Me MORROW: That is what you want to hear.

THE COMMISSIONER: No, I don't mean to curtail you, Mr. Morrow.

15 Me MORROW: No, no, not at all, My Lord. Just I have a couple of questions.

--- CROSS-EXAMINATION BY Me MORROW:

20 Q. Mr. Campion, the Exhibits, the documents in the book that we have been referring to, go on at length as to the position of your Board vis-à-vis the other agencies, I take it. Is that fair?

A. In some instances, yes.

25 Q. Yes, and singularly, throughout all



the documents, you continually repeat that you are against doping, and that you want to ferret it out, and do something about it, correct?

A. I believe that is quite clear.

5 Q. And that that position is shared with the other agencies, namely Sport Canada and Sports Medicine Council, for example.

A. Absolutely, COA also, every other organization.

10 Q. Every other organization, they were all well-intended?

A. Absolutely.

15 Q. They were all seeking, along with your association, to achieve effectively some means of doping control. Is that right?

A. They wanted to eradicate doping. They didn't want to have just doping control, to catch people positive. We wanted to get rid of it, so it wouldn't even be a question. Everybody was interested in that.

20 Q. Well, you needed doping control --

A. Yes, okay.

Q. To deal with the problem --

A. Yes.

Q. Of doping in sport. Isn't that true?

25 A. Yes, just like you need cops to give





parking tickets, people are going to park illegally anyway, I guess, yes.

Q. Well, we won't debate the analogy. So that, the letter, you have put a letter in there, and I can  
5 address you specifically to it, if you need to, there is a letter that you read into the Sports Medicine Council, describing them as a circus, and saying that they are ringmasters, or some such thing.

A. Yes.

10 Q. You don't stand by that letter, anymore?

A. Look, things were very tense. The Board was very tense, and we did things. But it is - at the moment, it was the expression of something that was  
15 quite clear. Still, I haven't read the letter recently. But it is still clear in my mind that the CWF is the National Sport governing body, and that the SMCC is the coordinating agency for the doping controls.

Q. That's right.

20 A. Yes, and we take the sanctions, and you know, we do the doping controls. They supply the equipment, and they coordinate with the lab, and get --

Q. Your people are responsible for the administration of the tests themselves, correct?

25 A. That's right, of course.



Q.       Alright.

A.       And I have taken lots of samples.

Q.       So, the answer to my question is, no,  
you do not stand by that letter anymore, describing them as  
5       somehow or another having improperly conducted matters.  
Is that fair?

A.       Whoa, let me read it. Let me see --

Q.       March - well, I will --

A.       No, I have got it in front of me. I  
10       know which one you are talking about.

Q.       March 29th, 1985, do you have that,  
Mr. Lutfy, in front of you? It appears, My Lord, that --

A.       Let me just read it.

THE COMMISSIONER: No, I remember the letter.

15       Me MORROW: Fair enough, sir.

A.       At the time, that is true. Yes, it  
does not dictate that they must supply further samples.  
That has been changed since then. For example, if a result  
is inconclusive now, the protocols have changed. Things  
20       develop. Now, we can give a second sample. And that is  
what happened in Vancouver last year, apparently.

Q.       Alright, well, let's not get lost in  
the detail of it. The question is simply there were no  
mala fides.

25       A.       No.



Q. No one was seeking to --

A. No.

Q. Try and subvert the others. Everyone was --

5 A. Absolutely not.

Q. Intending to achieve some success in this, correct?

A. Yes, absolutely.

10 Q. And that you saw it, I take it, on behalf of your Board, that people were ganging up on you?

A. That is --

Q. Is that right?

A. I think that is quite fair.

15 Q. They were ganging up on you, because of the positive results that were being obtained in weightlifting. Isn't that true?

A. I think that is quite fair to say, yes.

20 Q. And in part, you saw fit, therefore, to not only have testing done at the national level, you saw fit to even go into the provincial level.

A. That's right.

Q. To deal with the problem that was existent.

A. For sure.

25 Q. Correct?



A. Yes.

Q. Fair enough. And you answered my friend earlier in saying that the coach has no responsibility, did you not?

5 A. For doping --

Q. Did I understand your evidence correctly, firstly, sir?

10 A. We were talking about doping control, now. It is clear from all of these things that, in this context, doping control is the mechanism of taking the sample, and putting it in the bottle, and having the forms. That is what doping control is. The coach doesn't do anything about that. But he has a moral responsibility, as a pedagogue, as a leader, to be against doping.

15 Q. Yes, and to take steps in that regard, and that if he knows about it, to make inquiry, and to see what can be done to arrest it. Isn't that true?

A. I would say so, yes.

20 Q. And your Federation equally has the same responsibility, does it not?

A. Yes.

25 Q. And so, what, sir, did you do, when you ascertained that there was a problem, to change the contractual relationship with your coach to ensure that he was following his mandate?





A. I don't remember if we did anything.

Q. You didn't do anything. Is that right?

A. I don't believe so, no.

5 Q. So, is it fair to say, sir, that the answer to the question of what did you know, and when did you know it, is simply you didn't know anything? You didn't know anything about the problem. Is that correct?

10 A. We suspected, back in 1976, that doping was a problem. It was in the rule book. If it was in the rule book, it was there for a reason. In Montreal, 1976, athletes were positive. Athletes were positive in other competitions after that. It was obviously a problem of some magnitude. We didn't know to what magnitude. And  
15 we were interested in getting rid of it. And the way we wanted to get rid of it was having doping controls in Canada. We made efforts to get doping controls. We made efforts to promote good sportsmanship. I don't know what your question means, or what kind of an answer you expect  
20 further than that.

Q. You did a good job of answering it.  
The --

A. I just guessed.

25 Q. Educational quality, sir, the educational quality from your Federation's point of view is



simply limited to reading the rule, and doing nothing else.  
Did I hear you say that correctly?

A. No, that was --

Q. I misunderstood you?

5 A. No, I was at odds with my Board. They  
- I thought that education was telling these kids what the  
rules are, and what they don't do, and that is not correct  
behaviour. That, for me, was the most important education.  
But they wanted further, and I think I was a little too  
10 limited in my educational aims. Sport Canada wanted more  
education, and so did Sport --

Q. So did Sport Medicine Council as well,  
did it not?

A. Yes, sure, and so did my Board.

15 Q. Fair enough, thank you, sir. Those  
are all my questions.

THE COMMISSIONER: Any other questions?

--- EXAMINATION BY THE COMMISSIONER:

20 Q. I have a few questions for you, Mr.  
Campion.

A. Sure.

25 Q. It strikes me that obviously you are a  
very dedicated person, and enthusiastic about weightlift-



ing. But I want to just discuss with you what went wrong. Obviously, the program went wrong. Because we have heard, directly from the athletes, that throughout all this time that you were making these, I am sure, well-intended but  
5 high-sounding objectives, that they were taking drugs throughout this whole period, when you were there, 1976 to 1985.

A. Just as I said before --

Q. Well, what went wrong?

10 A. I don't know. What goes wrong between  
--

Q. Well, let me ask you this.

A. Well, we had an organization setting  
policy, and very sincere about it.

15 Q. Well, I am just interested in that, because under the policy laid down by Sports Canada, as long as you were there, there was an obligation on your part to receive a commitment from the coach in writing, that he would not encourage either the use or possession of  
20 anabolic steroids.

A. I don't really know if that was a stipulation, at that time. It might have been. I don't remember.

Q. Well, may I just read it to you?

25 A. I take your word for it. No, I'll



take your word for it.

Q. Well, thank you. And I have read Mr. Kulesza's contract. There is no such provision in there.

A. I didn't make up the contract. I don't know who did.

Me LUTFY: Excuse me, Mr. Chairman, clause 10 of Mr. Kulesza's contract of 1984, to the best of my understanding, uses substantially the same words as the ones I found at your insistence yesterday, on Exhibit 37.

THE COMMISSIONER: Well, I referred to it yesterday. I didn't see it, then. I missed it. I was reading it quickly. Because I just want to see what that says, and then we will - yes, that is the language of the statute. But I want to find out how you interpreted that. I have it here, thanks. How you interpreted that responsibility, and we don't want to get into semantics now, but - and not just this coach, I am talking about all the coaches.

You were saying that - I found it, thank you very much, Mr. Lutfy. I was mistaken. You said that there was no law against possession of anabolic steroids. It was only the use of them. Is that what you said?

A. Yes, I said there has been a certain development in this business, and at one point, there was no rule - there were no sanctions against possession





apparently, yes.

Q. Well, that is not right, because the employee, the athlete himself commits himself that he would not be in possession.

5 A. But we went further. We, in our protocols, put possession, not the IWF rule book.

Q. No, but Sports Canada put possession since 1983.

10 A. So did we. Well, we put it in our protocols with the athletes, our code of ethics. It is listed in there: I will not use or possess any banned substances.

15 Q. Well, when you found four (4) athletes in possession of twenty thousand (20,000) pills and several vials, that they hoped would come into Canada, what did you think they were going to do with them when they got them here, if they got them through customs?

A. I imagine they probably would have wanted to sell them, and make some money.

20 Q. And not use them, themselves?

A. Oh, they probably used some of them. They couldn't use all of them, I guess. I don't know.

25 Q. And when you only suspend somebody for three (3) months, that is not very much of a deterrent, is it?



A. I don't know. But I didn't suspend anybody, the Board suspended.

Q. I see.

A. Sanctions and responsibilities come from the Board.

Q. But what we have heard --

A. And in their wisdom, that is what they decided.

Q. What we have heard the last several days here in Montreal is that, throughout this whole period, the elite athletes, our best, the ones who are going to go Olympics, were taking drugs in Canada, until-- at least until the Lotto 649 program went in effect. And then, we know what happened to them after that. And you knew nothing about it, or the coach wouldn't know anything about it, that it was all done secretly, as you say?

A. I would say that it was all done secretly, yes. I would say that anybody working in the realm of elite sport --

Q. Well, did you hear Mr. Roy's evidence?

A. No, I didn't. Some of it I heard, but not all of it.

Q. But he said that all he did is he just turned a blind eye, as it were.

A. Well, he also said that his attitude



changes. He used to be for it, then he was against it. Then he turned a blind eye, and a deaf eye. And today, he is against it.

5 Q. Well, then, you did know. You did know. So, you don't turn a blind eye, unless it is apparent that if you open your eyes, it is there to be seen.

10 A. He obviously knew. He had - I didn't turn any blind eye. As far as I was concerned, I think that anyone who works in the field of elite sport must suspect that, in the group of however many athletes he is working with, sixty (60), eighty (80), or a hundred (100), maybe some of them sometimes will not obey the rules.

Q. But you know --

15 A. But we don't know, until we test, and we tested all the time.

Q. These young athletes, did you encourage them to try to advance their education, while they were on this program?

20 A. Yes, we did, and we had some success. Denis Garon was able to organize with his university part-time status, which gave him full-time status.

Q. Well, Denis Garon spent a lot of time doing other things than going to school.

25 A. That may be, but we did try to work



with the athletes in education, yes.

Q. I see, and he is your best example of your success?

5 A. No, he is not. Langis Côté might be a better example, who even moved to Montreal from further away, and he is pursuing his studies.

Q. Well, you heard their participation in the effort to avoid the testing in Vancouver?

10 A. As far as I know, Langis didn't do anything.

Q. Côté?

A. I think. I don't know, I wasn't here.

Q. He assisted in the catheterization.

A. Did he? Oh, I wasn't there.

15 Q. You don't call that doing anything?

A. I didn't know he had done that. I wasn't here.

20 Q. You see what I am worried about a bit, and I don't want to take your time on this too long, but I am reading this letter of Ms. Hoffman back in 1984. And she said - she refers to the various instances that have been going on. She says:

25 "Despite the events noted above, and the fact that drug use in weightlifting has





5           been a known fact for some time, the CWF  
has, in our view, shown itself to be  
almost incapable of developing and  
implementing a plan of action, which  
would address and bring to heel what is  
clearly the most important and damaging  
issue facing sport."

10           And she said that in 1984. And I am not challenging  
your good intentions, at all. But that could be said  
today, 1989, could it not?

A.           Perhaps, yes.

Q.           So, I think - did I overhear you to say that  
you thought that the present Board of CWF should resign?

15           A.           Not the present Board. I think that, in any  
organization --

Q.           No, I understand that, but --

A.           Where there is an election, those people should  
--

20           Q.           And what would a new Board do then? Suppose  
you became the new President of this newly formed Board.

A.           Well, if the same thing happened, I would  
resign again. And I think that the disarray caused by the  
repeated resignations on the very highest levels would  
25           underline to everybody concerned the absolute importance of



this question, and that we are not just going to suspend somebody for another two (2) years, and continue with things as they were before.

5 This is so important that my administration is going to put its reputation on the line. And the lack of resources in weightlifting would be such that, after two (2) or three (3) repeated resignations, why would anybody take any doping, when there is no more competitions, or federations to sanction or ratify the activities?

10 They would force people into such a difficult situation, that everything would come to a halt. And the people, who are personally taking these substances, would be forced to re-evaluate why they are in sport, what their goals are, and why they are doing activities which are destroying sport.

15 Q. And that is --

A. They would be forced to question their own motives and their own existence.

Q. Thank you very much, Mr. Campion.

20 A. Thank you.

Q. 2:30.

--- NOON RECESS

25 THE COMMISSIONER: Mr. Proulx?



you also - from that year, you became a professor at the same university?

A. Yes.

Q. More particularly, in the weightlifting department.

A. That's correct.

Q. Did you also - from 1969, did you become the head weightlifting coach of its sports club called AZS in Warsaw?

A. Yes, head coach of the university club.

Q. I see. In 1975, I understand you became the National coach of the Polish Weightlifting Federation, mainly with the Juniors National Team.

A. It was part-time.

Q. Part-time.

A. Part-time, I had full-time job as a professor in university, and part-time with National Federation.

Q. Now, in 1982, for reasons you can explain, you went to Argentina.

A. Right.

Q. You were invited to go to Argentina or --

A. No, it was exchange between governments, sport support for the developing country.

Q. And you went to Argentina, mainly in Buenos Aires, and you then became the Director of a sport and



science sports club.

A. Yes, I was National coach.

Q. Yes?

A. And --

5 Q. National coach of the Argentinean Weightlifting Federation.

A. Weightlifting Federation, and at the same time, I was the Director of sport science in a big private club.

10 Q. I think I forgot to mention that, in 1980, you obtained your PhD in sports science, at the University of Physical Education in Warsaw.

A. Yes.

15 Q. In 1981, you became what they call a Master Class coach in weightlifting. You obtained this from the Ministry of Physical Culture and Sports in Poland.

A. That's correct.

Q. Would you say, Mr. Kulesza, that I presented a complete - not a complete, but a summary of your professional background and education?

20 A. I was an athlete as well, in track and field and weightlifting. I competed in weightlifting about --

THE COMMISSIONER: What was the last one? You were an athlete, you said, in the track and field.

25 THE WITNESS: In track and field.





THE COMMISSIONER: Yes, and what else?

THE WITNESS: And weightlifting.

THE COMMISSIONER: Weightlifting, yes, thank you.

THE WITNESS: Yes.

5 Me PROULX: When did you exercise, yourself, this discipline of weightlifting?

A. In the University of Physical Education in Warsaw, there was a special class for the students, well organized. And I had occasion, however, to not only  
10 become good athletes, but also learn university, how to become coach and teacher of physical education.

Q. Did you have the occasion to compete out of your country, as a weightlifter?

A. I was, in 1965/1966, Polish National champion  
15 in ninety (90) kilos' class.

THE COMMISSIONER: | Do you mind me asking how old you are now?

THE WITNESS: Forty-one (41).

THE COMMISSIONER: Forty-one (41), thank you.

20 THE WITNESS: And I competed internationally, as well.

Me PROULX: You competed internationally in which years?

A. 1966 until 1972.

Q. And I am sure you may remember which competi-  
tions you did participate in?

25 A. In many, many competitions, but I did not



participate in a competition like Olympic Games or World Championships. I was not good enough to compete in Poland where weightlifting was very developed. My standards probably for Canadian athletes would have been very high, but for Polish, they were good.

Q. Now, what I precised just before will then bring us to 1983, where you were invited, as a lecturer, at this conference held in Varna, Bulgaria.

A. Yes.

Q. I understand that this was not, I assume the first lecture you were giving, at the time.

A. No, I was active as a scientist in this time, and I used to make research on weightlifters. And it was one of many conferences, where - in which I was giving lecture about selection of athletes in weightlifting, and the physical development. And I presented as well a special film about my work in Poland. And I met Richard Campion there for the first time, in 1983.

Q. Did you keep copies of your lectures that you gave, either at this time, or previously, or since? Did you keep copies of these lectures?

A. I have part of them.

Q. Do you have a copy of the lecture that you gave in Varna, Bulgaria, in 1983?

A. Not with me. I have it. It is a part of a



book from the conference in Varna.

THE COMMISSIONER: In what language?

THE WITNESS: In English.

Me PROULX: You mean you have it here in Montreal?

5 A. Yes, I do.

Q. Now, it is at this occasion that you met Mr. Champion.

A. Champion, right.

10 Q. Who, I assume informed you of the possibility for you to present your application to this new job, which was offered in Canada, as the National Head Coach of the Canadian Weightlifting Federation.

15 A. That's right. He didn't make me any promises, but he expressed his interest, and asked me to apply. At that time, I had contract with Argentina. However, Argentina was in a state of war with England. So, I didn't feel very secure over there. And so, I applied. And I was very surprised when I received invitation for interview to Canada. And I came.

20 Q. You came. When did you come for this first interview in Canada?

A. I remember exactly, because it is special day, July 14th, which is day of France.

THE COMMISSIONER: Bastille Day.

25 THE WITNESS: Yes, July 14th.



Me PROULX: So, you arrived on July 14th in Canada. And I understand you went to Lac St-Denis?

5 A. The next day, we went to Lac St-Denis. And I joined training camp of Canadian athletes and coaches, and had pleasure to meet all people from weightlifting in the same place. It is very nice base in Laurentian.

Q. Did you meet, at the time, a Russian coach, who, as you, was, to your knowledge, on the short list with you as a possible candidate?

10 A. Yes, I met him. I met Gregory Goldstein, immigrant from Soviet Union.

Q. And you met other coaches from Canada, who were volunteers?

A. Yes, I met most of them.

15 Q. Mr. Zuffellato?

A. He was there.

Q. Pierre Roy?

A. Him, too.

Q. Aldo Roy?

20 A. Yes.

Q. And you met the athletes, members of the team?

A. It was about, I guess, thirty-five (35) to forty (40) athletes.

Q. I see.

25 A. And I don't remember them, but I saw them in a





gym, and I was involved in correcting techniques. I didn't have much contact with them.

Q. Now, I understand that, during this training camp, in July, 1983, that you appeared, if I can use this expression, before a Board, the select committee.

A. Yes.

Q. And you had an interview. And when were you told that you had won the contest, if I may use this word, and that you were advised that you had the job?

A. It was on July 21st, at 9:00 in the morning. I remember.

Q. And did you decide to take it?

A. Of course, I was very --

Q. At that time?

A. Very glad. I felt it was great challenge to work in this country. I have heard many good things before about Canada, from my friends who already lived in Canada, and work in sport. And what I heard that it is a lot of things to do here. It is a challenging job.

Q. Can you tell the Commissioner what did you perceive, at that time, as special issues of challenge for you? When you say it was a challenge, especially in Canada, what did you perceive, at the time, as --

A. I knew that Canada, in sport, was very young, not organized; at the same time, very potential, with a



good standard of living, with a great opportunity for the people. And there was this lack of educated people in sport. So, this is great opportunity for people who study in Europe, to move here, to get quite satisfactory salary, and work with enthusiasm to change things. This is great challenge for the people.

Q. So, Mr. Kulesza, you were informed that you got the job. You accepted the job. But I understand that you had to take the proper arrangements to immigrate, eventually.

A. Oh, yes.

Q. So, I won't keep you on these details. I understand you went back to your country.

A. No, I went five (5) times to Buffalo, because it is Canadian immigration law that I have to leave, apply for Canadian visa, come back.

Q. I see.

A. When visa expired, I used to travel to Buffalo. But this is - give me chance to visit Niagara Falls in any season possible.

Q. So, when did you get your first residence in Canada?

A. Oh, I moved to Montreal from Ottawa. And I started to work here in September.

Q. September, 1983.



A. Yes.

Q. I understand that - I'm sorry, I should ask you, were the Caracas Games - the Pan American Games over, at the time?

5 A. It was probably right after Pan American Games. Yes, it was after Pan American Games.

Q. Right after. Now, you moved to Montreal. And I understand that one of your first responsibilities was to organize the implementation of this - well, let's say the organization of this new training centre.

10

A. Yes.

Q. The National training centre in Montreal at Claude Robillard Centre.

A. Oh, first of all, I had to organize my life, because I - to find apartment, and buy table and a couple of chairs, so I could write something on. And I started to think about organization of the high performance centre in Montreal, and organization of weightlifting in Canada as a whole. And I started to work right away, not waiting for the contract even.

20

Q. Can I ask you who, in particular, you remember, at the time, were the main resources for you? Who did you consult, at the time, to help you to understand the milieu, to assist you, in other words, in this first step?

25 A. I was lucky to meet very exceptional people:



Richard Campion as a Technical Director, Yvon Chouinard from Montreal, who was kind of emotional sponsor for me in new city, as well as Keith Nesbitt, Executive Director of Canadian Weightlifting Federation, and also Pierre Roy, who was at the centre at that time, was helpful.

Q. So, we are now in September, 1983. And I guess the first competition, which you had to prepare, was the Moscow - let's say the World Championships in Moscow, at the end of October.

A. Right, it was less probably even six (6) weeks to the World Championships. And I didn't feel very much to go, because I really did not prepare those athletes for that particular contest. But it was decision of Federation that it will be better if I start right away, to get closer to the athletes, and travel with them. So, I went with the athletes to Moscow.

Q. Before we come to that, can you tell us if you did yourself select, or did you have something to do with the selection of the four (4) athletes, who went to Russia?

A. I believe so. There was always two (2) aspects of the story. Limitation, budget limitation, and we wanted to send athletes who could finish in top ten (10), top twelve (12). So, we decided to send four (4) athletes. And probably, it was suggested by Technical Director, in







that time, to send all of --

THE COMMISSIONER: Who was the - Mr. Campion?

THE WITNESS: Mr. Campion, right.

THE COMMISSIONER: He went to Russia, too, did he?

5 THE WITNESS: No, he didn't go.

THE COMMISSIONER: I see. He helped you in the selection, though.

10 THE WITNESS: Yes, he was very helpful. I had problems with communication. I didn't speak any French, and my English wasn't impressive, at that time.

Me PROULX: So, you had Mr. Hadlow, Mr. Pietracupa, Jacques Demers, and Mario Parente.

A. Yes.

15 Q. These were the four (4) athletes, and you went yourself with these four (4).

A. Hmm-Hmm.

Q. Do you remember what were the results in Moscow?

20 A. They were generally good. They finished in the - Demers finished top eight (8); Pietracupa, Hadlow, and Parente in top ten (10). They finished pretty well.

Q. How long did you stay in Moscow, or let's say in Russia, on that first trip?

25 A. We stayed about eleven (11), twelve (12) days. That was very long.



Q. Did you come back with these four (4) people?

A. Yes, I came back with them.

Q. Now, you were here since the beginning of these hearings, and I am sure you know what facts were brought--

5

A. Yes.

Q. Before this Commission, as to this first incident. And I would like you to tell the Commissioner if - at what point did you become aware, if you were, that these four (4) individuals had, in their bags or wherever they were, this huge quantity of steroids?

10

THE COMMISSIONER: A huge quantity, he would not --

Me PROULX: I'm sorry?

THE COMMISSIONER: A huge quantity, he would not be expected to know how many were there, a huge quantity.

15

Me PROULX: Yes.

THE COMMISSIONER: Not the specific - alright, go ahead.

THE WITNESS: I wasn't aware about this big contraband on this time.

20

THE COMMISSIONER: I'm sorry, I didn't hear the answer.

THE WITNESS: I wasn't aware about the smuggling of the steroids.

Me PROULX: When did you become aware of it, Mr. Kulesza?

A. I found out from newspapers in Montreal.

25

Q. Well, you were with the four (4) of them in the



same plane.

A. Right.

Q. You arrived in Mirabel with these four (4) individuals. They were arrested in Mirabel.

5 A. Yes, I passed --

Q. Did you leave --

A. Through immigration very fast. I went out to wait for them. And I remember that friends or parents waited for them, as well.

10 Q. Yes.

A. And it was President of Québec Association waiting for me. And I was very concerned what's happened. They were not coming maybe forty-five (45) minutes, maybe one (1) hour. So, finally, my friend said let's go, that we will come later. We didn't know what's happened. And I left with Philip (?).

Q. Well, I understood, through the last days, that sometimes there is what we call a gérant d'équipe or manager, who accompanies the team. This time, you were the only representative of the Federation to accompany the team.

20 A. Yes.

Q. Right. If your four (4) athletes do not come out from the customs --

25 A. Something wrong.



Q. Yes. Did you feel you could leave, without checking what was going on with your four (4) athletes?

A. No, we went - the President of Québec Association tried to get information, and he went to the customs. And we were told that they will be - they will stay very long over there. So, it didn't make sense to wait for them. That is why we left.

Q. You were told --

A. We knew that they were stopped.

Q. I'm sorry?

A. We knew that they were stopped in the customs.

Q. So, did you decide that you should - as the only representative who had travelled with them, did you think that you should go to the customs, and see what was happening?

A. No, because we didn't have access to that, really. We cannot go back to the custom. If you pass, it is over. This is very personal responsibility, and you cannot go back after.

Q. When you were in Moscow with these four (4) athletes, did you live in the same premises with them?

A. No, I lived in the same hotel on different floors, with many different athletes in the hotel.

Q. Did you - beside going to the competition, did you travel with them a bit, as tourists?





A. No, we - first of all, we used to go to train, to training site. And I think once we went to see a circus, Soviet circus, which was very good, one evening. But I believe it was after competitions.

5 Q. And during all these days, you were not made aware, you were not told by any of them, you never saw anything which raised any suspicious that these four (4) individuals were carrying a quantity of steroids?

10 A. No, I haven't seen such a things, but we spoke at the table during the breakfast, or different meals, a couple of times, that always happen trade and buying all kinds of stuff during the Championships. So, I simply warned them that they should be careful with any.

15 THE COMMISSIONER: I'm sorry, I didn't hear that. You warned them about what?

THE WITNESS: Well, not to buy things which --

THE COMMISSIONER: Not buy what? I mean let's not - you were telling them not to buy steroids.

THE WITNESS: Right.

20 THE COMMISSIONER: Alright, well, why don't you say that?

THE WITNESS: Not only because the athletes often are cheated by others. You see, athletes are naive, and they buy all kinds of products, which have no use in sport.  
25 They are cheated by others just simply for profit. And



usually, particularly Western Europeans and Canadians, and Americans are very naive in that. Because Soviets are very good athletes, and they can sell everything to them. And the Americans will believe that this is the right stuff to be good. And they sell aspirins sometimes to them for good money.

Me PROULX: That, Mr. Kulesza, was your understanding, your knowledge, at the time, in October, 1983, of how the athletes were conducting themselves? In other words, you had travelled before.

A. Oh, I travelled before a lot.

Q. In other words, what you just answered to the Commissioner, meaning your knowledge of the mentality of Russian athletes, Canadian athletes --

A. No --

Q. Western athletes.

A. Canadians, I didn't know, but I know many others, in this time.

Q. But that knowledge came from past experiences you had?

A. That's correct.

Q. In your previous competitions?

A. Yes, from previous World Championships' events, and...

Q. And your understanding was that Russian athletes



were trying to sell steroids?

5           A.           Not only, others also, simply for profit; such countries like Bulgaria and Soviet Union, where you can buy unlimited quantity of medications without prescription. So, this is terrible situation. And everybody can buy whatever they want without prescription. But it is only two (2) countries, Soviet Union and Bulgaria in Europe. In different European countries, it is very hard.

          THE COMMISSIONER: Well, what about Poland?

10          THE WITNESS: Impossible to buy; it is very strictly controlled, prescription, yes, and even quantity of the prescription.

          Me PROULX: If you allow me at this point, Mr. Kulesza, I would like to ask you, you have heard since last week that  
15          athletes, who testified here, have told the Commissioner that their perception was that, in the Eastern countries, this was an open market --

          A.           Paradise of steroids.

          Q.           That's right.

20          A.           Right.

          Q.           That weightlifters mainly, in the Eastern countries, are using steroids, and that, therefore, the Canadian weightlifters cannot play on a level playing field. Now, my question is - you have heard that?

25          A.           I have heard, and I disagree with opinion.



Q. Do you disagree --

A. And I can explain why.

Q. Okay, please.

THE COMMISSIONER: Are you changing your story?

5 Me PROULX: I beg your pardon?

THE COMMISSIONER: Aren't you ahead of - do you want to get into this now? I thought you were going to go through other - is this the time to go into this now? I though it would be later, but go ahead.

10 Me PROULX: Yes, I would like to go about that later, but --

THE COMMISSIONER: Well, wait a minute.

15 THE WITNESS: It is important to understand that the difference in currency between East and West is such that any product, not necessarily steroids, but even sport equipment, and different goods sold to the Western athletes, is incredible profit in exchange. So, first reason is the profit.

20 Secondly, in the countries where medications are accessible without prescription, it is a great occasion for the people, money-oriented, simply to sell to the Westerners.

25 THE COMMISSIONER: Well, the question was, I think - we have heard that for over thirty (30) years now. It has been said that, in the Eastern Block countries, their







performance is enhanced by the taking of steroids. That is the reputation.

THE WITNESS: Yes, but --

5 THE COMMISSIONER: You say that is not so, that these Eastern Block countries don't - the weightlifters don't take steroids in the Eastern Block countries.

THE WITNESS: No, I am not saying that.

THE COMMISSIONER: I thought that what it was, sorry.

10 THE WITNESS: I haven't come to this point, to say about performance. The story is that, let's say, Canadians use steroids in certain times - it was very much spread out, using steroids, and others, too. And Canadians were barely in top twenty (20). So, it must be something else than just steroids in that.

15 THE COMMISSIONER: Well, nobody said that it is just steroids, but the question was that the - we have heard now for some eight (8) days, amongst coaches, too, that they - well, you have heard all these athletes speak of how they have been taking steroids.

20 THE WITNESS: Yes, but they --

THE COMMISSIONER: Excuse me now, and they try to justify it in their own minds.

THE WITNESS: Yes.

25 THE COMMISSIONER: By saying that they - that is the only way you have a chance of winning.



THE WITNESS: Yes, but this --

THE COMMISSIONER: That the Eastern Block athletes, with whom they are competing, are taking steroids. And we know - we will come to that later, of course. We know some of our athletes got steroids in the Eastern Block countries, too.

THE WITNESS: Yes.

THE COMMISSIONER: And the question was, Mr. Proulx asked you whether that was so, that the Eastern Block weightlifters are using steroids, if you would know.

THE WITNESS: Well, yes, I know, in different --

THE COMMISSIONER: And in your opinion, do they or do they not use steroids?

THE WITNESS: It is not, first of all, that --

THE COMMISSIONER: I am not saying that is the only reason. If I took steroids, I still probably couldn't lift up the glass of water too quickly.

THE WITNESS: Historically, if I describe briefly --

THE COMMISSIONER: I don't weightlift, so I don't do the --

THE WITNESS: Historically, steroids came from United States to Europe in early 1950's, and were used by Americans first, and came to the Western European countries, Scandinavia. And into East Europe, steroids came in early 1970's.



THE COMMISSIONER: In early 1970's.

THE WITNESS: 1970's, and were used by the sport system in second countries, not all of them.

5 THE COMMISSIONER: I think though, Mr. Proulx, it would be better to get - I don't know why we got into this now. I thought you might go chronologically.

10 Me PROULX: My question is: In 1983, when you were with these four (4) athletes in Russia, in Moscow, did any one of them - because it was their first contact with you, did any one of them ask you what was going on in the Eastern countries? Was this raised or not, at this time?

A. No, you see I have great difficulties to communicate with them. We couldn't come to such a conversation about details.

15 Q. Fine. So, you said that you learned back in Montreal, in fact, through the newspapers, that these four (4) athletes were, in fact, arrested.--

A. Yes.

Q. For having imported these steroids.

20 A. Yes, I knew that something happened, but I didn't know exactly what's happened at that --

Q. Now, did you eventually meet with these four (4) athletes, and did you talk to them about what happened?

A. I met them, but after a few days.

25 Q. Alright. Did you yourself ask any questions to



these four (4) athletes?

A. No, it was reported. I reported to the association, to Richard Campion, at that time.

5 THE COMMISSIONER: They wouldn't need your report, because the police would have a report.

THE WITNESS: Yes, but I had to report as the coach.

THE COMMISSIONER: I see.

THE WITNESS: About this event, and he asked me to write down, explain what's happened.

10 Me PROULX: But my question was, aside from having reported it, did you, as a coach, talk to these four (4) athletes, because you knew it was bad, right?

A. Of course.

15 Q. You knew it was contrary to a basic principle--

A. It was against the law.

Q. Not only --

20 THE COMMISSIONER: Excuse me, would you let him answer the question? You asked him whether he talked to them about it.

Me PROULX: Yes, I am coming to it. So, did you talk to them?

THE COMMISSIONER: Well, one (1) question at a time, Mr. Proulx. It is hard for a witness to answer.

25 Me PROULX: Did you talk to them?







A. Absolutely, I talked to them.

Q. Okay.

THE COMMISSIONER: When?

5 Me PROULX: A few days, a couple of days after? So, what did you get from them, at the time?

10 A. Well, they were in trouble, because they lost everything. They lost money. They lost drugs, and they lost reputation. They were in trouble. They expected help from the Federation, but we felt that they had done something wrong, and the Board suspended them from activities.

Q. They were all suspended?

A. Yes.

15 Q. Do you know for how long? According to the records --

A. Yes, it was repeated a couple of times here, three (3) to six (6) months, three (3) months.

THE COMMISSIONER: We have heard that, Mr. Proulx, three (3) months and six (6) months.

20 Me PROULX: No, but do you remember it was three (3) months or six (6) months?

25 A. Yes, I remember that. And there was issue such that we didn't have it in our policy any regulation of importation, or possessing as such. And it was already in a Court, so we felt that we should simply wait for the



decision of the Court. And if they were acquitted, to suspend them. I don't know exactly, because I was not, in this time, so much involved in National Federation, to know really what's happened.

5 Q. After this incident, then you were back to the training camp, training centre, I'm sorry, in Montreal. And I assume you started the implementation of your program.

10 A. Yes, I started to organize gym, first of all, because it was big mess, and not very hygienic place, and to clean up everything, move equipment, a reorganization of it.

Q. And your office was the Centre Claude Robillard, at the same centre?

15 A. Yes, it was a small room.

Q. Did you have any assistance, at the time?

A. Well, Pierre Roy was always in that place.

20 Q. Now, we are getting close to the Olympics, 1984 Olympics, in Los Angeles. And I understand that you were involved in certain competitions, before the Olympics in 1984.

A. Yes.

Q. The Canadian Championships?

25 A. Oh, I was involved in the Canadian Championships, and Junior World Championships, and tournaments in



Europe, in that time.

Q. Do you remember which ones in Europe, before the summer of 1984?

A. In Italy, in France, and Austria.

5 Q. At this point, Mr. Kulesza, through these competitions, different competitions, training sessions before each of these competitions, you were in contact with how many - you would say how many weightlifters?

10 A. Not many at the time, because, in this moment, really, the National high performance centre was a small place, not - we couldn't bring many athletes. We haven't had apartment, in this time. So, mainly athletes from Montreal club were in the same place. And one (1) athlete from Alberta moved only. It was just beginning.

15 THE COMMISSIONER: May I ask, at this time, what date are we at now, Mr. Proulx?

Me PROULX: We are in the first half of 1984.

20 THE COMMISSIONER: And you will be particularly interested in the Olympics, in what I call the Olympic team. Would that be --

THE WITNESS: Well, after Canadian Championships, many athletes moved to Montreal; athletes, they have potential to compete in Olympic Games. And they stayed in apartment, and we had systematic training since this time.

25 THE COMMISSIONER: And you would be concentrating on



what I might call your Olympic team.

THE WITNESS: Yes.

THE COMMISSIONER: You hadn't selected them yet, but you knew --

5 THE WITNESS: It was about twelve (12) athletes together, training in --

Me PROULX: You had twelve (12) athletes, and how many had to qualify for the Olympics?

A. Oh, ten (10) maximum.

10 Q. Ten (10) maximum.

A. Yes.

Q. So, you had this training camp at Centre Claude Robillard.

15 A. Not training camp, it was kind of training centre where everybody used to come.

Q. Training centre.

A. Yes.

Q. Immediately before the departing for the Olympics --

20 A. No, we had training camp in Lac St-Denis before Olympics.

Q. I see.

A. We moved.

25 Q. Now, at this time, did your athletes have to go through a doping control, before departing to the Olympics?





A. Until this point, there was not any anti-doping control in Canada. First doping control before departure was implemented in 1984, before Olympic Games. It was first doping control in Canada.

5 Q. You remember that Mr. Chagnon and Mr. Hadlow were tested positive?

A. Yes.

10 Q. Were you made aware, at any point in time, that a catheter was used on these two (2) weightlifters, in order to avoid detection of the test?

A. No, I didn't have any --

Q. Of the drugs.

A. I didn't have any knowledge about that, no.

Q. You had no knowledge of it.

15 A. No, no knowledge.

Q. Have you heard of this operation in itself, before?

A. I have heard, but just I have heard about that.

20 Q. Now, these two (2) individuals, Chagnon and Hadlow, were then suspended. They were - in fact, they had a penalty. They were sanctioned.

A. Yes.

Q. And you went with the team, you accompanied the team to Los Angeles.

25 A. That's correct.



Q. Do you remember if another athlete was sent back home, once you were --

A. Mario Parente was sent back home.

Q. Do you know why?

5 A. He was sent, because he had elevated blood pressure.

Q. Were you told if that was or could be related to the use of steroids?

10 A. The decision was taken by the doctor, without consultation with team managers or coach. And it was for me very surprising that doctor decided, on his own, to send athletes without any --

THE COMMISSIONER: No, that wasn't the question that was asked of you. Were you --

15 Me PROULX: My question was: Were you told, were you informed, at the time, if this could be or was related to the use of steroids by Parente?

A. No, I wasn't informed about that.

20 Q. You were not. Now, when you heard that these two (2) other weightlifters were tested positive, what was your reaction at the time that, you know, just realizing that two (2) of the crew --

A. You see, yes, I was shocked. Why? Because Olympic Games, it was my first Olympic Games with Canadian  
25 team. It is a big sport holiday, if we can say, and we



wait four (4) years. And for young men to go to Olympics and participate, it is a life experience. Maybe once, maybe twice, sometimes it is once in his life. And to represent country in such a big event is, I think, exceptional role. And to take a risk, and use drugs, and get caught, it is a shame, and a shameful situation, and disgraceful.

Q. At this point, did you know that these people- I'm sorry, I will rephrase the question. Do I have to understand from your answer that, at this point, you didn't know that athletes were using drugs?

A. We didn't have any control. It was first doping test.

Q. That is not my question.

A. I could --

THE COMMISSIONER: Answer the question, please.

THE WITNESS: Presume that athletes were using steroids, in this time.

THE COMMISSIONER: You could presume it, you said.

THE WITNESS: Yes.

THE COMMISSIONER: I see.

Me PROULX: Do you remember, Mr. Kulesza, of the performance of your athletes at the Olympic Games?

A. Yes.

Q. Were you satisfied with the results you



obtained?

A. I was satisfied, because East Europe did not arrive. So, they help us to have better ranking. We look better for Sport Canada.

5 THE COMMISSIONER: Because the East Europeans didn't- they boycotted the Olympics.

THE WITNESS: They boycott, yes.

10 Me PROULX: Back to Canada after the games. Do you remember of any major competition you did participate to in the last months of the year of 1984.

A. No, I don't recall 1984.

15 Q. In 1985, Mr. Kulesza, according to the record in mainly Exhibit 39, I am sure you are aware of it, four (4) weightlifters, at different dates, were tested positive. And I refer to Mr. Salvas, Pietracupa, in August, 1985; Mr. Choquette in July, 1985; Mr. Darsigny in September, 1985. Do you remember --

A. Yes, I remember very well.

Q. You knew these athletes.

20 A. It was, I can say, very successful year from the point of view of testing, effectiveness of the testing. What's happened that it was first time, in testing procedure, introduced tests for a ratio testosterone and epitestosterone. And if I am correct, two (2) or three (3)  
25 of them, they were caught not on the chemicals, but on





ratio.

THE COMMISSIONER: On the what? On the ratio.

THE WITNESS: The ratio, yes. They were very surprised. Those athletes, I would like to stress the one thing, because I have heard in the last couple of days that athletes were coming to train, and were getting caught. But I have to clarify this point, that those athletes were from one (1) club from St-Hyacinthe, all of them, including Chagnon, which is five (5). And we can name another one, last week was suspended another one, is six (6). They were coming from one (1) club. They trained only at home. They never trained with National team. And they arrived for training camp, were tested, and they tested positive.

Because a lot of people can be confused, when we are talking about camp and positive tests. Athletes, who arrive for training camp, if they were taking something, were taking at home probably months before the training camps. So, those things were not happening in the training camps, alright? They were tested positive at training camp. And five (5) athletes from one (1) club were tested positive.

Me PROULX: You are saying that --

A. It was terrible situation.

Q. You are saying that you had never been at this club in St-Hyacinthe?



A. No, I didn't know. I knew the coach, and so happens, I never have any contact with them, except Pietracupa, who travelled with me to Moscow.

5 THE COMMISSIONER: Were they on the team? In 1985, were they on the National team? They are all carded athletes.

THE WITNESS: Yes, but they did not train with the National team.

THE COMMISSIONER: So, you never trained them. So, you would know these --

10 THE WITNESS: They were all carded athletes.

THE COMMISSIONER: You didn't know Choquette, or Darsigny, or Pietracupa? You didn't know them?

THE WITNESS: Oh, temporary, sometimes they used to come, but never systemically.

15 Me PROULX: But you knew Mr. Pietracupa.

THE COMMISSIONER: Well, I'm sorry now, sir. They never trained under you, at all, these men?

THE WITNESS: No, I never coached them.

THE COMMISSIONER: Pardon, you never coached them?

20 THE WITNESS: Oh, Pietracupa, during the camp, before Olympic Games, for example, I coached him two (2) weeks. That is the contact.

Me PROULX: But, in that year 1985, you had not coached these people?

25 A. No.



Q. I see. What was your perception - at the time, Mr. Kulesza, in the year 1985, what was your perception of the problem of drugs among the Canadian athletes? Did you hear if there was a problem or not, or what was your perception of the problem in 1985?

A. My perception was, at the beginning when I arrived, that drugs were spread out, spread out among athletes and coaches.

THE COMMISSIONER: I didn't hear you, I'm sorry?

THE WITNESS: That drugs were used --

THE COMMISSIONER: In 1983, when you arrived.

THE WITNESS: In 1983.

THE COMMISSIONER: You are talking about Canada.

THE WITNESS: Yes.

THE COMMISSIONER: Right.

THE WITNESS: The situation was catastrophic, not only because athletes were using drugs, but at the same time, coaches and the athlete did not understand real training methods. They tried to gain on their - on the doping and improve results. They didn't train really much. They didn't have much experience how to train, what kind of load they should use, how to design programs. They just --

THE COMMISSIONER: As an adjunct to the steroids.

THE WITNESS: Yes, and they - for me, the most surprising thing was strong belief that the difference between those





best athletes and them is just steroids; strong belief in that. And I couldn't understand such a thing.

THE COMMISSIONER: In other words, steroids alone won't do the job.

5 THE WITNESS: Yes.

THE COMMISSIONER: But steroids plus a skilful technique and hard work will increase your --

10 THE WITNESS: No, there are small things. Simply either Canadians use drugs, or they don't, they still, in weightlifting, will be top twenty (20) or top sixteen (16), because that sport is small. There is very few athletes in Canada, and there is very few coaches, knowledgeable coaches. So, selection process is difficult. There is no really strong competition between athletes.

15 THE COMMISSIONER: So, what you are saying, when you got here, steroids were very much in use. And I guess the coaches, at that time, and the athletes thought that merely by steroids, but without any skilful training --

THE WITNESS: Yes, they can compensate a lot of things.

20 THE COMMISSIONER: But you know that even with the skilful training that you give, that steroids will improve the performance.

THE WITNESS: First of all, I was against the use of steroids.

25 THE COMMISSIONER: But you know, as a matter of fact,





through your experience, that steroids plus Kulesza is --

THE WITNESS: No, I didn't have experience.

THE COMMISSIONER: You didn't know that these --

THE WITNESS: No.

5 THE COMMISSIONER: You didn't know that steroids were improving the performance of your athletes.

THE WITNESS: I knew about that, but I haven't coached athletes who used steroids in the past.

10 THE COMMISSIONER: You didn't know that steroids were improving the performance of your athletes?

THE WITNESS: They could improve. They could improve in many cases, yes. It is not - each individual reacts differently for such a --

15 THE COMMISSIONER: Well, we will come back. Go ahead, I'm sorry.

Me PROULX: Mr. Kulesza, in 1985, you were then in Montreal for a year and a half, right? You started around November, 1983. So, let's say, in the middle of 1985, you had been at the Centre Claude Robillard on a regular basis.  
20 Did you hear that, at this time, after a year and a half, that your athletes could buy these steroids right there in the club from power lifters, from body builders, from other pushers or runners?

A. No, I didn't have knowledge like that. I --

25 Q. You never heard that?



A. No, I didn't have much contact with the people living around. And I was coming to do the job. I was leaving, and I was not having many contacts with the people.

5 Q. Mr. Kulesza, you just told the Commissioner that, to complete the answer to the question I put to you, that you said the coaches were also of the opinion that steroids could work. What --

A. Yes.

10 Q. Why did you say to the Commissioner that coaches said that? Did you talk to coaches yourself?

A. Yes, we discussed often that.

Q. Which coaches?

15 A. During the training camp, this was general opinion that --

Q. Did you speak to Pierre Roy, for instance?

A. Oh, we discussed with all of coaches about that, yes.

Q. And what did you understand from them?

20 A. I understood that they don't understand principles of sport training.

THE COMMISSIONER: What did you tell them? I understand that you told us steroids alone isn't going to make a person in the top twenty (20).

25 THE WITNESS: I was telling them that, first of all,



they have to look at their selection process, training methods, conditions for their athletes. This is what I was doing last five (5) years. And I think I - if Pierre Roy said that he changed his mind after a few years, I think I succeeded to a certain extent.

THE COMMISSIONER: Well, we are going to come to that later.

THE WITNESS: Yes.

Me PROULX: I am not there yet. Mr. Kulesza, I am just asking you in 1985. I just asked you why did you say that, according to you, these coaches - so, in other words, you spoke to them. They were telling you that they believed in steroids, right?

A. Right, of course.

Q. But you tried to dissuade them. You tried to show that they didn't need it, right?

A. Absolutely. I was giving them even an example. I was still capable to lift weights, and show them that I am not active athlete, but I can do as much as close to the best athletes. And I never used steroids. So, they used to say but he is so sophisticated in technique and everything. You know, but I came from the country where there was twenty thousand (20,000) weightlifters, and I was a winner. So, I was a bit different than they were. That's the difference. But this is very hard to sell to



the coaches in Canada, the different systems.

Q. Are you saying that all the coaches you spoke to, at Centre Claude Robillard, were of the same view, and that you had, to each of them, give them the lessons?

5 A. Many coaches. Only coaches with superior education could - I could convince. We could have common- a good conversation about that.

Q. Now, throughout 1985, you directed your team, different teams, to national and international competi-  
10 tions.

A. Yes.

Q. Mr. Kulesza, you did?

A. Yes, I did.

Q. And before we come to 1986, how did you  
15 appreciate, let's say, how did you estimate or evaluate the performance of your team at the time, in 1985?

A. You see, we started to develop anti-doping policies, in that time, more and more strict. And we started educational program. We included, in each training  
20 camp, lecturers. We invited nutritionists and endocrinologists. So, we started a kind of education. And it was my requirement that each training camp should be - part of training camp should be lecture about drugs and informa-  
tion. So, it was coming, and we had in the place.

25 Now, anti-doping policy still was mainly testing before







departure, and testing during the competitions, which was not covering most of the period of time when athletes train. So, I believe, in that time, that we didn't have control. And we didn't have evidence that athletes were  
5 using, but I believe that were using, in that time, steroids.

THE COMMISSIONER: You believe they were --

THE WITNESS: I believe they were using.

Me PROULX: You believe they were using it?

10 A. Of course.

Q. Which brings me, Mr. Kulesza, to 1986, in Winnipeg, before leaving for the Commonwealth Games in Scotland, there was a training session in Winnipeg. And the athletes had to pass --

15 A. To test, yes.

Q. Go through a test. You heard, and you were here, we heard from all the athletes that - or most of them who were present, that they were required by yourself --

20 A. Yes.

Q. To give you a list of the drugs they had used, the frequency, etc. Is it a fact --

A. I --

Q. I'm sorry, I just want to ask you - my first  
25 question is: Is it a fact?



A. Yes, it is.

Q. Can you tell the Commissioner why you required each athlete with this list?

A. You see --

5 THE COMMISSIONER: That was before the tests.

THE WITNESS: Right.

THE COMMISSIONER: How long before the tests?

THE WITNESS: It was just at the beginning of the camp, I believe. We never knew exactly about the day of the test.  
10 However, you see, a similar situation, athletes arrive for two (2) weeks.

THE COMMISSIONER: Pardon?

THE WITNESS: Athletes arrive to stay two (2) weeks together, and prepare for the games.

15 THE COMMISSIONER: Yes.

THE WITNESS: Now, if they were taking something or taking at home, in these small clubs, without supervision of a coach or with somebody over there, and I knew that coaches were still in the past with the drugs, and I  
20 believe that they were pushing athletes to do such a thing.

And I was not closing eyes, like my colleague said yesterday. I wanted to open eyes in a situation, and I asked them to write down. And I couldn't do that during  
25 the training process, because they would never do that.



Under the pressure, before the test, they were better boys.

5 And I asked them to write down if they used something, any kind of medication, in the last two (2) months, and not putting signatures, so it is confidential. And they did it.

Me PROULX: But do you remember you asked them, first of all, to write the type of drugs they used?

THE COMMISSIONER: Yes, he said that.

10 THE WITNESS: Everything what they took.

Me PROULX: Everything which means what, the number they took on how many days?

A. I wasn't so specific. I said write down medication you took, and that's it.

15 THE COMMISSIONER: No, you asked them the amount. I think you said that you asked for the amount of drugs, and when they took them. I thought you told us that.

THE WITNESS: No, it should be everything included into that, yes. I mean it makes difference.

20 THE COMMISSIONER: Pardon?

THE WITNESS: It makes difference, the dosage or period of time.

25 THE COMMISSIONER: Even if they had taken them, and you knew it was, say, two (2) months before, then they could pass the test. You wouldn't worry about that. But if they



said I just took some last night --

THE WITNESS: Yes.

THE COMMISSIONER: Then, you would - obviously, they couldn't pass the test.

5 Me PROULX: Mr. Kulesza, when you asked this, you said that you did, because you knew that the coaches around were encouraging the athletes to take it?

A. No, no.

Q. Why? Why did you ask that?

10 A. I knew situation in Canada. Those athletes were coming from different towns, from Québec, from Ontario, from British Columbia. We didn't have control on the training process, and on anything, except that we had-  
they told us on paper. And they were coming to train with  
15 us. And it was beginning of anti-doping policy and education. I just was very realistic. I expected that athletes still came and used steroids.

20 THE COMMISSIONER: Well, we know that the athletes that came to Winnipeg from here, they were on your team. Who was on that? Who was in Winnipeg with you? Weren't they a lot of yours from Montreal?

THE WITNESS: No, I didn't have my athletes --

THE COMMISSIONER: None of yours --

25 THE WITNESS: I didn't have my athletes. I am a National coach, so I don't coach athletes every day, and I don't







have my athletes.

THE COMMISSIONER: Was Demers there?

THE WITNESS: There were athletes from Montreal.

Me PROULX: No --

5 THE COMMISSIONER: Who came from Montreal?

Me PROULX: Was Demers there?

A. Demers.

THE COMMISSIONER: Payer was there?

THE WITNESS: Payer.

10 THE COMMISSIONER: Right. Bolduc?

THE WITNESS: Yes.

THE COMMISSIONER: And who else? Côté?

THE WITNESS: Yes, but he didn't train in Montreal this time.

15 THE COMMISSIONER: Pardon?

THE WITNESS: He was from Lac St-Jean, this time. And others from Ontario, from British Columbia, from --

THE COMMISSIONER: No, but show me your key people with you. Demers was one of your top athletes, wasn't he, and  
20 Bolduc, at that time?

THE WITNESS: No, he wasn't mine. It was Pierre Roy athletes, but --

THE COMMISSIONER: Well, that is from the same Robillard Centre. That is from --

25 THE WITNESS: Yes, there was clubs at the same place.



THE COMMISSIONER: You are talking about people from all over the province. Many of these came from Montreal, from Québec.

THE WITNESS: Yes.

5 THE COMMISSIONER: Alright.

THE WITNESS: So, the purpose of that list was not exactly what athletes explained. This is what athletes understood. And athletes always understand things in their way.

10 Me PROULX: What did you tell them, Mr. Kulesza?

A. I tell them to write down, and give me this piece of paper. That is all what I told them.

THE COMMISSIONER: Have you got those pieces of paper with you still?

15 THE WITNESS: No.

THE COMMISSIONER: Do you have --

THE WITNESS: No, I don't have them.

20 Me PROULX: Was it the first time, Mr. Kulesza, since 1983, we are now in July, 1986, was it the first time you required the athletes to give you this?

A. I think it was first time.

Q. First time?

A. Yes.

THE COMMISSIONER: Well, what happened then, I guess --

25 THE WITNESS: And --



Me PROULX: And --

A. And what's happened that there was fifteen (15) athletes scheduled for the test, fifteen (15), everybody invited. And we did not intend to stop anybody. Everybody  
5 went for tests.

THE COMMISSIONER: Well, I don't understand what you are doing. I thought you told me that if you saw that a fellow was taking a large quantity of drugs --

THE WITNESS: So, I should stop him from the test?

10 THE COMMISSIONER: Well, then, why ask - I don't understand.

THE WITNESS: I didn't intend to stop him.

THE COMMISSIONER: Pardon?

THE WITNESS: I didn't intend to stop him.

15 Me PROULX: Why not?

THE COMMISSIONER: I don't know what you are doing then, frankly. I don't understand.

THE WITNESS: No, this is - I will explain you.

THE COMMISSIONER: I don't understand it.

20 THE WITNESS: It was record, which I brought to the Vice-President Technical, at that time, Ross Pryor.

THE COMMISSIONER: To Mr. Campion?

THE WITNESS: No, Vice-President Technical from Winnipeg, training camp was Winnipeg.

25 THE COMMISSIONER: May I ask you this? Did anybody



indicate on those pieces of paper that they had been taking steroids?

THE WITNESS: Yes, yes.

THE COMMISSIONER: So, at that stage, you knew somebody  
5 had been --

THE WITNESS: I didn't know names, but I knew that several athletes gave records which looked terrible.

THE COMMISSIONER: The number of steroids they were taking.

10 THE WITNESS: Yes.

THE COMMISSIONER: So, at that time, you knew that they were taking steroids.

THE WITNESS: Of course, it was evidence for me, right, so I could --

15 THE COMMISSIONER: Well, you would know also by their performance they were taking steroids.

THE WITNESS: Not necessarily performance.

THE COMMISSIONER: Well --

THE WITNESS: There was no great athletes in the team.

20 THE COMMISSIONER: Well, anyway, at this stage, in Winnipeg, on the way to the Commonwealth Games, you know-- and as Mr. Payer said, he signed his name to his. He gave evidence yesterday.

THE WITNESS: Well, he was mistaken. If he signed, I  
25 didn't know names. I didn't ask him to sign.





THE COMMISSIONER: Well, now you know. Out of the dozen, how many said they were taking steroids?

THE WITNESS: I don't recall exactly, but I believe I said that at least half of papers were the steroids, like  
5 half of the team was using, at that time.

THE COMMISSIONER: Alright.

Me PROULX: Let me ask you this, Mr. Kulesza.

THE COMMISSIONER: Well, then, why - may I ask you a question? Why wouldn't you send them home, because you  
10 knew that was against the rules?

THE WITNESS: First of all --

THE COMMISSIONER: Right there and then, you had it on paper that they were taking steroids.

THE WITNESS: What we have done, I discussed with the  
15 coaches --

THE COMMISSIONER: Now, you are direct in all this, assuming that is the first time. And I would have thought that the reason for taking the list was so that they could avoid being proved positive. That is why you had asked the  
20 date of it, and so on. But you say - I am not quite clear why you wanted them. You now know that they are taking steroids. You know what the rules are.

THE WITNESS: First of all, I would --

THE COMMISSIONER: Isn't your job to discourage the  
25 athletes from taking them?



THE WITNESS: Absolutely.

THE COMMISSIONER: And now, you know they are doing it. And you are on the way to the Commonwealth Games with them.

THE WITNESS: One moment, I was not one (1) person in charge of training camp, and I was not manager of a training camp. There was three (3) coaches. We together decided to do that. And I informed the Vice-President Technical, who was very much concerned about situation in our sport.

THE COMMISSIONER: You were under a contract with your Federation, paid by Sports Canada, obligated to discourage the use of - have possession of and the use of steroids. That is what part of your contract requires. Mr. Lutfy --

THE WITNESS: That's correct, but those steroids were used in clubs.

THE COMMISSIONER: No, no, no, the steroids are used by your athletes. Demers was in your club. Payer was here.

THE WITNESS: No.

THE COMMISSIONER: They are your team. You are the National coach. You are in charge of the people going to Commonwealth. You now have --

THE WITNESS: Not exactly.

THE COMMISSIONER: Pardon?

THE WITNESS: Not exactly.

THE COMMISSIONER: Well, what was your responsibility,



then? You are being paid by the Government of Canada to fulfil your responsibilities for the young men of the team.

5 THE WITNESS: I didn't close my eyes. I opened eyes to everybody, at this moment.

THE COMMISSIONER: When you opened your eyes, you saw that they were taking drugs --

THE WITNESS: That's correct.

10 THE COMMISSIONER: And did nothing about it, and sent them on the --

THE WITNESS: Yes, we did a lot in this moment.

THE COMMISSIONER: Pardon?

15 THE WITNESS: Because we make use of this record, and it was beginning of 649. The President and Vice-President received this record. He said --

THE COMMISSIONER: Well, what year is this, now? 1986?

Me PROULX: 1986.

A. 1986.

THE COMMISSIONER: Alright, we haven't got 649 yet.

20 THE WITNESS: We had - it was beginning of 649.

THE COMMISSIONER: No, I don't want to be difficult. I am just trying to clarify it. But, anyway, so far as the athletes were concerned, nothing was said to them at Winnipeg about drugs. I gather they went on.

25 THE WITNESS: I talked to their coaches.



THE COMMISSIONER: Pardon?

THE WITNESS: I talked to their coaches.

THE COMMISSIONER: Well, you are the National coach.  
You are the boss.

5 THE WITNESS: I talked to the coaches, and to such  
extent that coaches started to complain to President of  
Federation, because I simply accused them of jeopardizing  
policy and different things. And I had problems with the  
coaches.

10 THE COMMISSIONER: I see. I'm sorry I interrupted,  
then.

THE WITNESS: I had problems with the coaches, in this  
moment.

15 THE COMMISSIONER: You are on your way to Commonwealth,  
now?

Me PROULX: I would like to --

A. And it was beginning --

20 Q. I have a few more questions on this. Mr.  
Kulesza, if you allow me, what was the advantage for you  
to get this list? Once you get the list, and you know  
what these athletes took, did you only do it for statistic  
purposes?

25 A. No, to uncover, to know real situation, because  
there was no different period of time when you can get such  
information. Because athletes supposed to not use





steroids. Now, before the test, under the pressure, before major game, we asking that they do that. So, we find the real situation in our sport.

5 Q. Mr. Kulesza, did you inform anyone at the Federation, at this precise time, before testing, did you inform anybody of the Federation that athletes were telling you that they were using drugs?

A. Of course.

Q. Who did you tell?

10 A. Vice-President responsible of program.

Q. Who is he?

A. Vice-President Technical, Russ Pryor.

Q. Who is he, Russ Pryor?

A. Vice-President Technical.

15 Q. Is he the only one you informed?

A. Yes, he was on the spot with us over there.

Q. So, you told him that these --

A. Yes.

Q. Some athletes had used drugs.

20 A. And it was issue at the next Technical Committee, very serious, and was long discussion. We stayed two (2) evenings.

THE COMMISSIONER: Well, what did you tell the athletes, I'm sorry? What did you tell the athletes?

25 THE WITNESS: I talked to their coaches.



THE COMMISSIONER: But not the athletes.

THE WITNESS: Not to the athletes.

Me PROULX: Which coaches?

A. I talked, first of all, to Pierre Roy.

5 Q. Was he in Winnipeg?

A. No, he wasn't. When I came back.

Q. No, but I am speaking in Winnipeg.

10 A. In Winnipeg, of course, there was two (2) assistant coaches. It was Raphael Zuffellato and Ron Greavette. And we discussed that, of course.

Q. Did you know then that Jacques Demers was on drugs, when he gave you the list, seriously?

A. I didn't know if it was Jacques or somebody else.

15 Q. Mr. Kulesza, you knew Jacques Demers, right?

A. Yes.

Q. In Winnipeg, before the tests, did you get from him a list, where he showed you that he was using drugs?

20 A. I am not sure if it was Jacques or others. I received about fifty percent (50%) of cards with the drugs, in that time. And --

Q. Before the test, you didn't know Jacques Demers was using drugs?

A. No, I didn't have any evidence of it.

25 Q. You didn't speak to Jacques Demers, before he



passed the test?

A. No.

Q. Did you get from Louis Payer the information that he was using drugs, that he had used drugs?

5 A. I don't know if it was Louis Payer or somebody else. There was no signature on that.

Q. Did you hear the evidence of David Bolduc, who said that he had exaggerated?

10 A. It came from his coach. I talked to his coach after.

THE COMMISSIONER: Well, no, just please now, Mr. Proulx is going to tell you what Mr. Bolduc said. Go ahead, and tell him.

Me PROULX: Did you hear what David Bolduc said here?

15 A. He said many things.

Q. No, no, but about this list.

Me SILCOFF: Mr. Proulx, why don't you repeat for him what you wish to bring to his attention? Then, he can respond to that.

20 THE COMMISSIONER: The witness responded, before the question was finished, Mr. Silcoff. Mr. Proulx didn't tell him, remind him what --

THE WITNESS: I completely disagree with that, what Bolduc said.

25 THE COMMISSIONER: Well, what did Bolduc say?



THE WITNESS: He said - as I remember, he said that he received message that he was using too much or something.

THE COMMISSIONER: He said that he spoke to you, because you had said, "Look it, you know, this is what is on your list". He said, "I exaggerated, I lied, I wasn't taking that much", because he thought you weren't going to let him take the --

THE WITNESS: And he passed, right?

THE COMMISSIONER: Pardon?

Me PROULX: That's right.

A. He was happy.

THE COMMISSIONER: Yes.

Me PROULX: Do you remember he said that?

THE COMMISSIONER: That is what he said.

THE WITNESS: I remember, but I wonder what is the language he used with me to speak about such a things, Bolduc, and how he could explain me.

THE COMMISSIONER: Well, did he speak to you about it?

THE WITNESS: No, I didn't.

THE COMMISSIONER: Bolduc said he spoke to you.

THE WITNESS: I spoke with his coach.

THE COMMISSIONER: You told him that this list was very bad, and I am paraphrasing. That, according to the list, he was taking too many drugs. And he said, "I lied about it. I wasn't taking that many drugs".





THE WITNESS: One (1) athlete came to me. After, everybody were tested. So, we didn't intend to stop.

THE COMMISSIONER: Well, this is before the test, he said he spoke to you, Mr. Bolduc, before the test.

5 THE WITNESS: I don't recall any conversation with Mr. Bolduc. But two (2) athletes were tested positive, finally, Demers and --

Me PROULX: Yes, Demers and Dodds.

A. Dodds.

10 Q. Alright.

A. And Dodds came to me after the positive test, and said, "Forgive me, coach, but I didn't write everything on this piece of paper", because --

THE COMMISSIONER: So, he said, "Forgive me".

15 THE WITNESS: Yes, "Forgive me, because I should write everything what I took, but I thought that you can stop me from the testing and Commonwealth Games. So, I was cheating you on the paper".

THE COMMISSIONER: Bolduc said that.

20 THE WITNESS: No, no, Dodds.

Me PROULX: Dodds. What about Jacques Demers, who was tested positive? Did he come to say something to you? Was he angry at you?

25 A. I don't think so he could be angry on me. I am only --



Q. Mr. Kulesza, do you remember that after - you remember very well that Dodds went to you, and said, "Mr. Coach, I lied to you, and I'm sorry", etc.

A. Yes, because it was exceptional situation.

5 Q. Alright. Do you remember that Jacques Demers, who also was tested positive, went to you, talked to you, and showed you his anger?

A. Yes, he was - oh, angry, he was very more than that. He was broken emotionally, and said that he was  
10 exaggerating with drugs, and such a things. So, he paid the price.

THE COMMISSIONER: I thought it was Bolduc that said that before.

THE WITNESS: No, no, Demers.

15 Me PROULX: Mr. Demers went to --

THE COMMISSIONER: Demers is the one who exaggerated, I'm sorry. I thought you said Mr. Bolduc, Mr. Proulx.

Me PROULX: No, I'm sorry if I said Bolduc, I meant Jacques Demers. After he was tested positive, do you  
20 remember he went to talk to you, and he showed you his anger?

A. Oh, I don't know if he was angry towards me, no. He was completely devastated, I can say. It wasn't anger.

25 Q. Did he tell you then he used drugs?



A. Yes, he told me. He was caught. It was evidence.

Q. But, Mr. Kulesza, you know that Jacques Demers went in arbitration after that. You know that?

5 A. Yes.

Q. You knew that he was denying having used drugs. I mean to go to arbitration, he was denying having used drugs.

10 THE COMMISSIONER: No, I think he complained about the way --

Me LUTFY: No, it was a procedural debate, Mr. Commissioner. I think the record will show that it was a procedural debate.

Me PROULX: No, I know that, but --

15 THE WITNESS: Yes.

THE COMMISSIONER: It was procedural.

Me PROULX: It was procedural, but the athlete was denying having used drugs.

20 THE COMMISSIONER: No, he wasn't. He was complaining about the procedure, because he had admitted in his writing to the coach that he was taking drugs.

25 Me PROULX: No, but outside the privacy of this meeting you had with Jacques Demers, is it to your knowledge that Jacques Demers contended to the arbitration, and to everybody, that he had not used drugs?



A. Yes, but it was his private decision to go to Court, and --

THE COMMISSIONER: No, but you knew better. He told you that he was using drugs.

5 THE WITNESS: I beg your pardon?

THE COMMISSIONER: You knew he was using drugs. He put it on the list, and told you afterwards.

THE WITNESS: You know, he put on the list, I don't know what he put, him or somebody else. He was caught.

10 THE COMMISSIONER: He told you that he was using drugs.

THE WITNESS: He was caught. Now, those technical things, I have no idea what was wrong over there, and why he went to Court, why he didn't --

THE COMMISSIONER: I see.

15 THE WITNESS: You know, it is a different story.

Me SILCOFF: Mr. Commissioner, just for the record, I think this should be brought to the attention. And that is the fact that, except for Mr. Payer, who indicated that he signed his statement or supposedly signed the statement, all of the other witnesses before you indicated quite clearly that they did not --

THE COMMISSIONER: No, but this is --

Me SILCOFF: In any way, put any identifying signal or sign on the documents.

25 THE COMMISSIONER: No, what Mr. Proulx is speaking about





Me PROULX: Mr. Andrzej Kulesza.

ANDRZEJ KULESZA, sworn.

5 --- DIRECT EXAMINATION BY Me PROULX:

Q. Mr. Kulesza, I think it would be useful for the Commission to hear about your background, and what brought you to 1983 in Canada. So, I understand that you were born in Poland?

10 A. In Poland, right.

Q. And in 1969, you obtained a Master of Physical Education at the University of Physical Education in Warsaw.

15 A. Exactly.

Q. You specialized then in weightlifting, recreation, and sport massage.

A. Yes, during university study.

20 THE COMMISSIONER: I wonder if you could be a little closer to the microphone, just a bit, I think, not too close and not too far.

THE WITNESS: Okay.

Me PROULX: So, that was in 1969.

A. That's correct.

25 Q. Do I understand also that, in that same year,



is a conversation after the test, where Demers had admitted to the coach that he had been taking the drugs, not the writing on the paper.

Me SILCOFF: Not the document, fine.

5 THE COMMISSIONER: It was a different conversation.

Me PROULX: That's right. Mr. Kulesza, you eventually left Winnipeg. You went with your athletes to the Commonwealth Games in Scotland, right?

A. Yes.

10 Q. And two (2) were tested positive.

THE COMMISSIONER: Well, that is before the games.

Me PROULX: Yes, before the games. So, two (2) were excluded. You then had a team of how many?

15 A. I don't recall. I think there were two (2) substitutes. It was ten (10) athletes in a team.

Q. Ten (10) athletes.

A. Yes.

Q. You knew then that, of these ten (10) athletes, others were on drugs.

20 THE COMMISSIONER: Some of them --

THE WITNESS: No.

THE COMMISSIONER: Some of the ten (10).

Me PROULX: Some of the ten (10) were on drugs.

25 A. No, wrong, they were not on drugs at this particular moment. They were on drugs, when they train at



home. Some of them went on drugs, when they trained at home.

Q. Mr. Kulesza, when you got, in Winnipeg, the list, isn't that a fact that you had more than two (2) sheets of paper, which told you that athletes --

A. Some of them used --

Q. Drugs.

A. Drugs in their preparation towards Commonwealth Games.

Q. Fine.

A. Yes.

Q. So, among the ten (10) who went to the Commonwealth Games, some of the ten (10) had taken drugs, but did not get caught at the test, right?

A. Right.

Q. Do you remember if - after the games, do you remember if you met with David Bolduc, concerning the use- and had a meeting with him, and talked to him about drugs, after the Commonwealth Games in Edinburgh?

A. I never talked about drugs with Mr. Bolduc.

Q. Thank you. So, you left Scotland. You came back to Canada. And in 1986, I understand there was another competition, as much as 1987, where, in fact, the system of 649 became effective. I think it is either February or March, but it is in the early part of 1987.



A. We started to work on the system in Winnipeg, during the training camp. And the designer, it was Russ Pryor. And he - because we felt that our anti-doping policy is very nice on paper, but we don't have control. And he brought up proposal, first one; at the meeting, second one. And I felt that finally coach can work in this country, without having all those problems which we cannot control.

Q. Now, you believe in the system. I guess you were consulted on the establishment of the system.

A. I believed that it was good system, at the beginning. But if you look at my reports, evidence, I wasn't happy with that, with the time.

Q. I'm sorry, you were not happy with?

A. With the time going on, the system started to be known to the people.

THE COMMISSIONER: There was too much notice given, too much time between the --

THE WITNESS: Yes, and it was loosen, like it was not very strictly executed, and there were delays. So, I was concerned, and I was writing to the Technical Committee, expressing my concern about that. In 1986, 1987, at the beginning of 649, right away I notice some weaknesses, and I wrote to the Board about that.

Me PROULX: Do I understand, Mr. Kulesza, that the early





part of 1987, you started to make arrangements with the Czechoslovakian team to send your team to a training camp?

A. We started in 1986.

Q. In 1986.

5 A. We are looking after, with new program, so called QPP Master Plan, four (4) years program, we had our goal to develop training bases for athletes, because we lost out some Lac St-Denis in the meantime. And we have done a lot of effort to organize summer training base for  
10 our athletes. So, I visited a couple of military bases, together with Yvon Chouinard. We went to St-Sauveur. We went to St-Jean d'Iberville. We went to - I don't remember even names.

THE COMMISSIONER: In Canada.

15 THE WITNESS: In Canada.

THE COMMISSIONER: Yes.

THE WITNESS: Yes, in Canada. However, we used St-Jovite, a simple building in the Laurentian, sometimes for juniors, but we couldn't find and make arrangements for our  
20 team. So, I made arrangements with a Curacao Weightlifting Association. And we found a winter training base in Curacao, in Caribbean, which was very attractive place for the athletes, and very good. And then, in summertime, we still didn't have. And my discussion began with the  
25 President of Czechoslovakian Federation for exchange. And



our athletes were really exciting to train, to go and train in different countries. It was very attractive form of training. And the arrangements I proposed, conditions, were very, very beneficial for us.

5 First of all, our budget was very limited for programs. And I could - knowing interest of Eastern Europeans to come to Canada, and knowing rate of exchange of the money, we could have one (1) month of training camp in Czechoslovakia for six thousand dollars (\$6,000.00), which, in Canada, we would pay a hundred thousand dollars (\$100,000.00). We had  
10 budget ninety thousand dollars (\$90,000.00) for everything, during the year. So --

Me PROULX: Did you --

A. It was part of a program.

15 Q. So, I guess you made these negotiations yourself, and you had them approved by the Federation.

A. Yes, I got it to the Federation. We discussed, but I was initiator as National coach. And it was welcome, such a proposal.

20 Q. We heard of --

THE COMMISSIONER: Perhaps, Mr. Proulx, we can take a short break now, and get to the rest a little later.

--- ADJOURNMENT



THE COMMISSIONER: Mr. Proulx, I think you were discussing the arrangements for a training camp in Czechoslovakia, and this fellow was just --

5 Me PROULX: So, briefly, you told the Commissioner that you informed the Federation of your negotiations. The Federation accepted your project. That your team would go to a training camp in Czechoslovakia.

10 A. Not exactly, because we cannot say it was team. It was only for the elite athletes willing to go, to stay there. It wasn't obligatory program. It was special program for the best athletes willing to go. So, they were volunteers.

15 Q. Alright. Now, is it a fact that you had a good friend there by the name of Emile, the National coach of the team?

A. I made arrangements with the President of Czechoslovakian Federation.

Q. Yes, you said that.

20 A. I knew him better. I knew him from the past, and I could communicate with him very well. And he proposed Emile Brzozka, because Brzozka was in charge of--

THE COMMISSIONER: What is Emile's last name? We have just heard him called Emile all the time.

25 THE WITNESS: Brzozka.



THE COMMISSIONER: Would you spell that for us? Can you?

THE WITNESS: B-r-z-o-z-k-a, which means birch.

THE COMMISSIONER: B as in Bob?

5 THE WITNESS: Yes.

THE COMMISSIONER: Okay, thanks.

Me PROULX: So, Emile was the coach, right?

A. He was the National coach, at that time.

10 Q. That's right. And Emile would be the host. He would meet your athletes, the volunteers, those that volunteered to go.

15 A. No, the Federation was - there was woman in Federation. She was in charge of organization of all travel arrangements, and hotels, and such a things. Emile was in charge to set up the supervision for the athletes, and --

THE COMMISSIONER: And that was paid for by the Federation.

20 THE WITNESS: It was everything covered by the Czechoslovakian Federation.

THE COMMISSIONER: Oh, they paid all the expenses.

THE WITNESS: Yes, they pay all expenses except the trip.

25 THE COMMISSIONER: No, I'm sorry, what about the air fare and the --





THE WITNESS: Only air fare was paid by our Federation.

THE COMMISSIONER: And when they got there, they were guests of the --

THE WITNESS: Everything was covered.

5 THE COMMISSIONER: Thank you.

Me PROULX: Now, if I remember, for the first training camp in Czechoslovakia, before the athletes went there, you first, yourself, with seven (7) of the athletes, I am saying seven (7) weightlifters, you went to Austria first.

10 A. Not exactly, I went to Yugoslavia for Junior World. I stayed about two (2) weeks over there. And at that time, seven (7) athletes were scheduled for Modling Cup in Austria. So, I flew from Belgrade to Vienna. I met athletes from Canada, seniors. They competed in  
15 tournament. Four (4) athletes were scheduled to go to Czechoslovakia, and others left, but to Canada, with me.

Q. Now, before they left to go to Czechoslovakia, the four (4) were Louis Payer, David Bolduc --

A. Gollies Desmarais and Denis Garon.

20 Q. Gollies Desmarais and?

A. Denis Garon.

Q. Denis Garon. Do you remember if, before departing, you had a private meeting with Louis Payer, where you first remitted to him, as representative of the  
25 athletes, a gift that he had to present to the National



coach, Emile? Do you remember that?

5 A. No, I had meeting with the team at the patio beside the restaurant, with the team. All members were there. And I discussed with them training program mainly, first. And after, we discuss situation which is related to anti-doping policy. And it was only one (1) meeting, at that time. I didn't have any private meetings with anybody.

10 Q. Mr. Kulesza, is it a fact that you remitted to Louis Payer a package or this plaque, that he had to offer to Emile, the National coach in Czechoslovakia?

A. Not during the meeting.

Q. Do you remember having given to Louis Payer this plaque in Austria?

15 THE COMMISSIONER: It is a little gift to exchange, I think.

Me PROULX: The gift that he had to offer.

THE COMMISSIONER: And little gifts, I think.

Me PROULX: And little gifts.

20 A. No, I don't.

Q. You don't remember that.

A. No, I gave to the athletes for sure, but I don't remember what I gave to Louis Payer.

25 Q. Do you remember having had a private meeting with him?



A. No.

Q. Now, at this point, since we are talking of a first opportunity for our Canadian athletes to go to Czechoslovakia, to a training camp, I understand it was the first time that our Canadian athletes were sent training in the Eastern Block, right?

A. No.

Q. They were there before?

A. Were there before.

Q. When?

A. They were many times in Eastern Block. They competed.

Q. I said to train.

A. Yes, they trained in Eastern Block before.

Q. They trained in the Eastern Block before?

A. Yes, we had training camp in Bulgaria in 1985.

Q. In 1985, in Bulgaria --

A. Yes.

Q. There was a training camp where?

A. In Sofia.

THE COMMISSIONER: Was that before a competition, though?

THE WITNESS: Oh, it was --

THE COMMISSIONER: They competed in Bulgaria.

THE WITNESS: We had one (1) competition in Hungary, and



we had second competition, second one, in Tolbukhin in Bulgaria. And after, we made arrangement to train one (1) week with Bulgarian team in Sofia. I arranged with the Federation that we could stay and train with them. My athletes wanted to see the best weightlifters in the world, and train with them.

THE COMMISSIONER: Was that related to a competition, or just pure training?

THE WITNESS: It was after competitions, but to be in Bulgaria, to see the best athletes, we see discipline of those people. And the way they train was very attractive for our boys to have such experience.

THE COMMISSIONER: Well, were you not aware - at least the opinion is that the Bulgarians were using steroids, which is what made them so good.

THE WITNESS: This is opinion. The evidence is just from last Olympic Games, and not - you see the situation, nobody could prove it. We had never been caught on steroids.

THE COMMISSIONER: Never mind that, but you have been around for almost how many years, in weightlifting, over twenty (20) years by this time? You didn't know that --

THE WITNESS: More than that.

THE COMMISSIONER: You didn't know that the reputation was that Bulgarians, particularly, were adroit with the





use of --

THE WITNESS: Well, there is such opinion, but maybe they have something better than that. I am not sure about that.

5 THE COMMISSIONER: Well, alright.

Me PROULX: Mr. Kulesza, let me ask you this. At this point, in 1987, was your perception that our athletes could compete, all of them in each category, from seventy (70) kilos to a hundred (100) kilos, that each of our athletes could compete on a level playing field with the Eastern countries' athletes without using drugs? In other words --

10

A. We are not going there to compete with them. We went to gain experience in the competitions. Canadians were not competitive enough, in this time, to dream about winning competitions. So, we used to choose competitions, or lower calibre competitions, where Canadians were visible. They could succeed and gain extra motivation to stay in sport, and practice.

15

20 So, I never chosen competitions which were very tough for them. That is why they compete in Modling Cup, which is international club level competition. So, our athletes can win. The best Canadians can win in club competitions in Austria.

25 So, you know, like in boxing, you don't choose the best



opponent for first fight, right? You choose gradually better and better, but you don't start with the stronger one; the same with lifting.

5 Q. Mr. Kulesza, can I propose to you that your perception was, in 1987, that for these seventy (70), eighty (80) kilos, that drugs were not necessary? But over that, above, let's say, start at ninety (90) kilos and above, that our athletes could not compete on a level playing field, because you knew that the Eastern countries' weightlifters were taking drugs.

10

I refer you to a meeting we had with your counsel two (2) days ago, when we discussed that. Do you remember that?

15 A. Yes, at that time, athletes, Canadians, never could compete with those athletes, using or not using drugs, right? They couldn't be competitive with drugs or without drugs. And without drugs, they were better than in the past with drugs. They were higher in world ranking without drugs, than in the past with drugs. Because we

20 implemented very good program in Canada. We pumped money into the camps, Curacao, camps in a country, food supplements, sophisticated training four (4) times a day. We picked up the best athletes in Canada. We moved them to Montreal. And they became more competitive than with the

25 drugs in the past, in 1987.



Q. My more specific question is this, and the last time I ask you that question. For those who were ninety (90) kilos and more, was it not your perception that our athletes could not compete, because the others were using drugs?

A. They could, but they couldn't win. They could compete, but it doesn't mean win.

Q. Because the others were taking drugs.

A. We could think in this way, yes. It was - I can call it unfair competitions.

Q. Did you tell your athletes that it was unfair competitions?

A. It was common knowledge.

Q. It was common knowledge.

A. Yes.

Q. When your athletes, the four (4) athletes, came back from Czechoslovakia, did you see them at the centre here in Montreal, at the Centre Claude Robillard?

A. I met them at the airport, first. I went to see them at the airport.

Q. Right, but did you see them training in the next days, in the next weeks?

A. I saw them shortly after training camp. We moved to Winnipeg for training camp.

Q. Did you notice any significant performance?



A. I was --

Q. I'm sorry, significant change in their performance.

5 A. Yes, I saw, but they were very weak. And I was disappointed that they went for such a high volume of training, and they looked pretty poor, those athletes. And Denis Garon lost about six (6) kilos. And they didn't look well, except one (1), one (1) athlete who looked quite well. The others didn't. And it took me about one (1)  
10 month to bring them to their normal level.

Q. Mr. Kulesza, did you know, at the time - in 1987, at this time, did you know that, in the Eastern countries, not only athletes were taking drugs, and you said it was common knowledge, but also that they were  
15 using cover-up or masking pills? Did you know that?

A. In 1986, during the World Championships in Sofia, I was - I found out about masking, so-called masking pills.

Q. How did you find out?

20 A. I spoke to one (1) coach from Austria, and he told me that Bulgarians possess, and different countries possess, such a masking drug. So, when I came back to Canada, I informed my Federation. And I spoke to the Sport consultant from Sport Canada, as well, and I think  
25 also to Director of Sport Canada, Abby Hoffman.





And we wrote a letter to Sport Med to make investigation, and try to develop or improve tests, to such extent that we can catch athletes who cheat with masking substances.

5 Q. But once you discovered that, in Bulgaria, these people were using masking pills, it meant that they were using drugs.

A. You know, it was --

Q. I mean you mask what? You want to mask what?

10 A. Masking pill, that was used to mask presence of steroids.

Q. Drugs, that's right.

A. I believe. I believe, yes.

15 Q. And then, you knew that these athletes were using drugs, were using steroids.

A. I mean if I knew, I could suspect they were using, but it is not so obvious in --

THE COMMISSIONER: But the Bulgarian coach told you.

THE WITNESS: No, he didn't.

20 THE COMMISSIONER: I thought he told you about the masking drugs.

THE WITNESS: He didn't. No, it was Austrian coach.

25 THE COMMISSIONER: Oh, an Austrian coach, I'm sorry. Once the Austrian coach told you that, you knew that the athletes in that area --



THE WITNESS: No, he told me that there is such a masking drug, which can, you know, be successful in masking steroids in certain periods of time. I didn't know much about that, but I felt that it is time to inform our sport authorities that such a thing can exist, and that we can face the same problem one day. And we should do something.

Now, about what - if I knew that they were using. They were so, so smart, Bulgarians, that they have never been caught on steroids. Even in Olympic Games, in 1988, they were not caught on steroids.

Me PROULX: But you were told in 1986 that they were --

A. But they use something which makes them lifting heavy weights.

Q. But, Mr. Kulesza, you thought it appropriate to inform the Canadian authorities that these people were using masking pills to avoid detection.

A. That's correct, yes.

Q. In 1988, when you organized the second training camp in the early part of 1988, that was, in fact, the end of February, 1988.

A. Middle of February, yes.

Q. Middle of February. Had you spoken to your friend, Emile, the coach, since the last camp, and before sending your athletes to a second training camp?



A. I met him in beginning of March, 1988, at the competitions in Budapest.

Q. Was it after the training camp?

A. It was in the middle of training camp.

5 Q. Middle of training camp.

A. Yes.

Q. Did you know --

THE COMMISSIONER: I'm sorry, I lost the question. I thought the question was between the end of the first trip to Czechoslovakia, and before the second trip.

Me PROULX: And the second trip, had you spoken to him?

A. Of course, I spoke to him, yes.

Q. Were you told by him that he had given drugs to your athletes?

15 A. No, he was cheated me with that.

THE COMMISSIONER: He was cheating you.

THE WITNESS: Yes.

THE COMMISSIONER: Why would he cheat you?

THE WITNESS: This is what the athletes said yesterday. I was very astonished what I heard from --

20 THE COMMISSIONER: Who said that? Who said Emile was cheating you?

THE WITNESS: Payer told that.

THE COMMISSIONER: Pardon?

25 THE WITNESS: Payer was talking yesterday the kind of



exchange he had over there.

THE COMMISSIONER: Well, Payer said that you told him in advance. He is the one that --

5 THE WITNESS: Well, Payer's story is not necessarily true.

THE COMMISSIONER: And we didn't say that Emile was cheating you. I don't mean to interrupt you, but I am --

THE WITNESS: Oh, we - I don't know in this case where is the truth, but --

10 THE COMMISSIONER: No, you said that - I thought I heard you say that Louis Payer told you that Emile was cheating you. He didn't tell you that.

15 THE WITNESS: No, my understanding is if Louis Payer was taking drugs, and Emile Brzozka was giving drugs to him, and Brzozka didn't tell me anything about that, it means that there were a couple of cheaters in this group. Louis Payer was cheating, and Brzozka was cheating.

20 THE COMMISSIONER: No, but the only difficulty I am having is that Louis Payer said that before he went there, you told him that you had a friend there, that would make these drugs available for him.

THE WITNESS: This is what he understood at the meeting, when I was talking --

25 THE COMMISSIONER: No, not the meeting of seven (7), because three (3) were going back. Three (3) were going





back to Canada. At the meeting of seven (7), three (3) were going back. Only four (4) were going on to Czechoslovakia.

5 THE WITNESS: What Louis said - you see, Louis didn't succeed before Olympics. He is very bitter and jealous. And if you know the way coach is dealing with the athletes in this country, you realize that coach is easy target of any kind of allegation, any kind of accusation, when athletes fail in something.

10 THE COMMISSIONER: No, but this is more than that. I mean I am not - it will be for me to decide, but he swore under oath yesterday what happened. He is not just making allegation. He is saying it. You say he is not telling the truth.

15 THE WITNESS: Not only that he didn't say the truth, but also he was writing one (1) letter which we uncover yesterday, which he was lying in one (1) letter. He also lying again here. So, this is my opinion about that.

20 THE COMMISSIONER: Well, we will ask about that later. Go ahead.

Me PROULX: Mr. Kulesza, you didn't know at all what was going on in Czechoslovakia. At the first camp, you didn't know what happened there?

A. No.

25 Q. When you sent the athletes for the second camp,



you didn't know, and you didn't hear from them, when they returned from this second camp, of what transpired between them and Emile about selling steroids?

5 A. What I hear, I ask athletes' rep, who was supposed to be responsible person --

Q. Yes.

A. And who should not make any cover-up, to write report to me. And he wrote report, very nice report to me. And that is all my communication with athletes' rep.

10 Q. Alright. Now, when they came back, do you remember that David Bolduc had to pass a test?

A. Yes, I remember.

15 Q. Do you remember what he said here, that he was-- he met you, and you suggested to him to go away, and not to pass the test?

A. Yes, but he doesn't know, Mr. Bolduc, that I don't know about test in 649. He didn't know that, that Executive Committee --

20 THE COMMISSIONER: Can we go back, and just answer the question? Mr. Proulx is putting to you what Mr. Bolduc testified to here. That when he came back, he was told by you that he had to take a test.

THE WITNESS: No.

25 THE COMMISSIONER: And you arranged somehow to put it off for a couple of days.



Me PROULX: That is not a fact.

A. No, that is not a fact.

Q. Now, do you remember that Mr. Pierre Roy, who testified here, the coach, went to see you after the second training camp in the month of May, and expressed to you his concern that the athletes obviously had to use drugs, because of what he noticed in their performance? Do you remember having had a discussion with Mr. Pierre Roy?

A. Pierre Roy was lying yesterday, despite what you think, because Pierre Roy did not talk to me at all, at that time, because our relations were broken. He couldn't talk to me.

Q. Mr. --

A. There was not any discussion.

THE COMMISSIONER: There was no discussion about the --

THE WITNESS: There was not any discussion about that.

THE COMMISSIONER: About the camp, that he --

THE WITNESS: Never.

THE COMMISSIONER: That he knew that the athletes were taking drugs at the camp, and told you that.

THE WITNESS: Never discussion about that.

THE COMMISSIONER: So, you had no discussion at all with Mr. Roy.

THE WITNESS: No.

Me PROULX: Mr. Kulesza, is it to your knowledge that,



in 1988, around March, that the Czechoslovakian team came here to Canada to compete?

A. I remember perfectly. I remember perfectly.

Q. Do you remember that they refused to be tested?

5 A. I have no idea about that.

Q. You don't remember that?

A. Who refused?

Q. The Czechoslovakians refused to be tested.

A. Where, in Canada?

10 Q. In Montreal. Am I wrong in that?

A. Probably.

Q. Now, before we go to the third training camp, we have to mention here an incident, where Mr. Pierre Roy again met with you. And this time, he says that you  
15 called him, right? When you fired him --

A. Yes.

Q. On July 2nd --

A. Yes, I met him.

Q. That was before going to Czechoslovakia.

20 A. You see, if I - I can answer for your questions, but it will be better if I describe the situation.

Q. Sure.

A. It will be more understandable.

Q. I refer you to --

25 A. That Pierre done serious mistake talking about





Czechoslovakia, because this training camp was scheduled in Dolbeau, not in Czechoslovakia. So, we are not sure about training camp in Czechoslovakia until last moment. And Dolbeau refused to organize for us training camp. So, I made emergency call to the Czechoslovakian Federation. And I received final confirmation of Czechoslovakia Federation in Greece by special registered mail by Claude Ranger, that it can happen. So, Pierre Roy didn't know about Czechoslovakian camp.

Q. Fine.

A. It is just that I --

THE COMMISSIONER: He told us that he was nagging the athletes, and saying, "Look it, I know you took drugs when you were in Czechoslovakia, because your performance is so much better". And by the way, Garon is a good friend of yours, Denis Garon?

THE WITNESS: First of all --

THE COMMISSIONER: Excuse me is Denis Garon a good friend of yours?

THE WITNESS: No, he is one of the athletes.

THE COMMISSIONER: Yes, Garon, he is not a good friend of yours?

THE WITNESS: He is not my friend. He is my athlete.

THE COMMISSIONER: Alright, but he said that Garon had said, "Don't speak to me so much, don't nag", or something,



"and you go and tell the coach". Apparently, Garon had told you that Roy was nagging at him. Is that right?

THE WITNESS: It was in 1987, what you are talking about.

5 THE COMMISSIONER: After they came back from the second-

-  
THE WITNESS: No, nothing to do with training camps. It was in 1987.

10 THE COMMISSIONER: Mr. Kulesza, I just wanted - did Mr. Roy ever tell you that the athletes were taking drugs in Czechoslovakia? He described to us here that it was a joke, because everybody knew it. And you said no, they are not taking drugs in Czechoslovakia.

15 THE WITNESS: No, I never said no or yes, because I never met Pierre Roy, talking about that.

THE COMMISSIONER: So, that whole thing never happened at all, that part.

THE WITNESS: Never happened.

20 THE COMMISSIONER: I see. But apparently - but you did fire him in July.

THE WITNESS: Yes, I did.

THE COMMISSIONER: Alright.

Me PROULX: Do you know why you fired him?

A. Yes, I know.

25 Q. What is the reason?



A. The reasons were the following. First of all, when athletes came from Czechoslovakia in 1987, from Senior World Championships, I had to discipline two (2) athletes, Demers and Côté, for bad behaviour. And I recommended to Executive Committee that they would be reprimanded, and they will be suspended from the first international competition in 1988.

The athletes didn't like my action, and they were fighting me back. And Pierre supported athletes in this case. It was his first unprofessional approach.

The second one was when athletes applied to leave country for six (6) months to train in Australia, and take drugs --

THE COMMISSIONER: Pardon, I'm sorry?

THE WITNESS: Louis Payer.

THE COMMISSIONER: Go to Australia to take drugs, is that what you said?

THE WITNESS: To train and take drugs, it was my understanding.

THE COMMISSIONER: I see.

THE WITNESS: And I expressed my self in that way, in a Technical Committee and Executive, that it is unacceptable for our Federation. And so, they received a negative answer, but they knew it was my initiative in that. So, the same situation, Pierre was backing up athletes, and



communication was broken. And I had difficulties to work.

THE COMMISSIONER: So, actually, it was Pierre. And now, that is 1987.

THE WITNESS: It was 1987, 1988.

5 THE COMMISSIONER: So, instead of complaining to you about athletes being sent to Czechoslovakia, and taking drugs, he wanted them to go to Australia, and take drugs. In other words, he wasn't complaining about it; he was favouring it.

10 THE WITNESS: I can't understand in this way. I don't know what he felt.

THE COMMISSIONER: I mean that is what you are saying.

THE WITNESS: What he meant.

THE COMMISSIONER: I am trying to --

15 THE WITNESS: No, he was backing not necessarily athletes in sense of going to taking drugs. He was backing them against the coach, who made decision.

THE COMMISSIONER: No, you said to go to Australia and take drugs. I think those are your exact words.

20 THE WITNESS: Train and --

THE COMMISSIONER: Alright.

25 THE WITNESS: Really, I don't believe that Pierre was had any idea to push them for drugs. I don't believe that Pierre was - probably now, he was changing his mind, as he said yesterday. He was on the stage to change his mind.





However, his athletes were not changing his mind so fast. That is the problem, because they were addicted already to the drugs.

5 THE COMMISSIONER: You were just saying these were policy differences, that came about.

THE WITNESS: Yes.

THE COMMISSIONER: Go ahead, Mr. Proulx.

Me PROULX: Anyhow, Pierre Roy was fired, right?

THE WITNESS: For disciplinary reasons.

10 THE COMMISSIONER: He hasn't told yet why.

THE WITNESS: Yes.

Me PROULX: Yes. And then, you went to Czechoslovakia with your team.

15 THE COMMISSIONER: No, I'm sorry, he didn't tell us why he was fired. Have you told us all why he was fired?

THE WITNESS: So --

THE COMMISSIONER: You had the two (2) differences.

20 THE WITNESS: Yes, he was not after that, not only that he was creating problem in the gym, and also he was not taking care of his two (2) athletes, who were potential to the Olympic team, Demers and Bolduc. Particularly, Bolduc was injured, complaining. I was travelling. I had clinics, in this time. I was not in the centre. And Bolduc was without supervision. And Bolduc stayed at home, training with Pierre, before he came to Czechoslovakia. I

25



didn't have any contact with Bolduc, at this time.

And I felt very disappointed that the coach, who is supposed to take care of his athletes, was not doing his job. It was the reason. So --

5 THE COMMISSIONER: I'm sorry, after being fired, they went to Czechoslovakia a third time.

Me PROULX: You accompanied the team to Czechoslovakia.

A. I went first to Greece.

Q. I beg your pardon?

10 A. We went to Greece.

Q. Yes, you went to Greece to a competition.

A. Yes.

Q. And from Greece, you accompanied them to Czechoslovakia.

15 A. Yes.

Q. And there were six (6) of them?

A. There were six (6) of them. That's correct.

Q. Right, and you stayed with them for how long?

20 A. I stayed ten (10) or eleven (11) days with them.

Q. Right.

A. In Czechoslovakia.

Q. Was Emile the coach, the Czech coach, present?

25 A. No, the arrangement was done badly by Czechoslovakian Federation, and we couldn't train in Olympic



Centre. So, they sent us five hundred (500) kilometers from Prague, to a small town, and we trained alone in this time. So, Emile was not there. But he came - before I left training camp, he came for the weekend, because he lives in Havirov, in the same town. So, he came to visit us, before I left.

Q. Do you remember that Jacques Demers became very sick in Czechoslovakia, during this camp?

A. Yes, I remember very well.

Q. Do you remember you went to the hospital with him?

A. Yes, I took him to hospital.

Q. And do you remember what was the nature of his problems, medical problems?

A. Before he went to Greece, I sent him to see a doctor in Montreal, because he complained. And he went to our doctor. And I called the doctor, and he said he is fine. And in Greece, he started to complain for some stomach problem. The food was different, and he likes to eat. It didn't look serious. But he was very weak in training, and really very poor. So, he did not compete in the competitions.

And when he came to Czechoslovakia, he started to complain again. So, I decided to take him to the doctor, because I didn't know exactly what was going on with him.



So, we went to hospital for the blood test.

Q. Did you discuss with Jacques Demers the use of drugs, at the time? Did you suspect that he was using --

5 A. Jacques was not - this was blood test, but Jacques felt that - he told me, "But I am taking something", he said. "What do you mean?" "I take drugs, and I can be detected." I said - he didn't understand that it was blood tests. So, he told me about that, in this particular moment. And I said, "You must crazy. You have  
10 some problems. You are so weak. And you have lost competition in Olympic Games. And you are not going to win anything over there. If you finish top fifteen (15), top twenty (20), it will be nice, and will be end of your career. And now, you manipulate with kind of drugs. This  
15 is absolutely crazy".

So, I asked him to throw out everything, and listen to the doctor, and take what doctor prescribed after.

Q. But, Mr. Kulesza, if you were then in Czechoslovakia with Jacques Demers; Jacques Demers is telling you  
20 he is using drugs; did you ask Jacques where he got these drugs?

A. No, I didn't ask him.

Q. It didn't come to your mind that maybe he just had these drugs --

25 A. I think that - you see, I think that they had-





they could bring from Canada, in that time.

Q. Mr. Kulesza, you knew that the Canadian athletes, at the time, had a problem in Canada, because of the 649.

5 A. Not really, I disagree with that.

Q. You disagree with that.

A. Yes, I will explain you why. Because the way we talked about this 649 --

10 THE COMMISSIONER: When Demers told you there that he was taking drugs, the way he put it was you said, "Would you stop taking the drugs, until you see the doctor?" But you said you think they were bringing the drugs from Canada to Czechoslovakia.

THE WITNESS: Yes, this is what I understood.

15 THE COMMISSIONER: I see, I see.

THE WITNESS: You know why, because they were - already I had - I didn't have evidence, but it was something which could --

20 THE COMMISSIONER: No, but we have got evidence now. Demers tells you in Czechoslovakia, "I am taking drugs, coach".

Me PROULX: That's right.

A. I am talking about different things, in this moment.

25 THE COMMISSIONER: No, we are talking about those drugs.



Demers tells you, "Coach, I am taking drugs".

THE WITNESS: Yes.

THE COMMISSIONER: And you think he was actually getting  
- in Czechoslovakia, at that time, you think he had  
5 actually brought those drugs --

THE WITNESS: From Canada.

THE COMMISSIONER: From Canada.

THE WITNESS: I believe.

THE COMMISSIONER: Pardon?

10 THE WITNESS: I believe.

THE COMMISSIONER: Why was that? Why do you say that?

THE WITNESS: Why? If you understand the 649 system, it  
is not a matter where you go, it is the time frame only.  
It doesn't matter if you are in Czechoslovakia, or Curacao,  
15 or British Columbia, Sudbury. It is a matter of time  
frame. If athletes know they cannot be detected, as we  
have evidence from Sudbury, from Manitoba, or British  
Columbia, athletes were already manipulating with 649, they  
were delaying tests, and they were even caught on that.

20 So, it is time frame more than place, because it is a  
time frame. And Czechoslovakia was scheduled in such a  
way, it was not coincidence that they took off on July 10,  
not July 5th. They took off after 649 test.

25 Me PROULX: Mr. Kulesza, did you decide then, or could  
you make a decision then - once an athlete tells you, "I



am taking drugs", you are in competition, and you are just before the Olympics, could you decide to send him back home?

5           A.           I decided, in this particular moment, because for Demers, it was last contest in his life, he was - he had very good name. He won silver medal in Olympic Games 1984. And he dreamed to participate at Olympic Games in 1988. When I found out what he admitted me about drugs, I said, "This is crazy. You should be out from the camp, and  
10 out from the program, absolutely".

But if he is twenty (20) years old, he is not a child. And I asked him to throw out everything.

THE COMMISSIONER: But you are the coach, though. I don't understand. You are the coach. You had a respon-  
15 sibility in your contract to prevent people from taking drugs.

THE WITNESS: Prevent in what measure, I can prevent?

THE COMMISSIONER: Fire him from the team. You are no longer on the Olympic team.

20 THE WITNESS: I have to find evidence first that they are taking drugs.

THE COMMISSIONER: Pardon? Well, he told you.

THE WITNESS: I cannot --

THE COMMISSIONER: This is the third or fourth time that  
25 you say a man admits it. You have got sometimes in --



THE WITNESS: Yes.

THE COMMISSIONER: You got it in writing. And a man admits it to you --

THE WITNESS: Mr. --

5 THE COMMISSIONER: And he is so sick, he has to go to the hospital. And you say there is no evidence he is taking drugs.

10 THE WITNESS: Mr. Commissioner, knowing situation in sport in Canada, I would finish in a Court for such a decision.

THE COMMISSIONER: Not at all.

THE WITNESS: I prefer to finish in Royal Commission, not in a Court.

15 THE COMMISSIONER: Not for that. The Commission is because people perhaps weren't doing the opposite.

20 THE WITNESS: Because what is happening in different sports, and I knew that if I would kick out athletes before Olympics without evidence - he admitted me, that doesn't mean that is evidence. He can test a week later. It will be negative.

THE COMMISSIONER: Well --

THE WITNESS: And I will finish in a Court with such a thing.

25 THE COMMISSIONER: You already knew, in 1983, that the same man had bought twenty thousand (20,000) tablets, four





(4) of them, in Canada, the same man, and vials of other drugs, alright. And in Winnipeg, you knew that he was taking drugs. And he tested positive for drugs. You are now in Czechoslovakia, same athlete, same athlete, three  
5 (3) times in a few years; proof. And couldn't you say, "I'm sorry, Demers, you are no longer on the Olympic team. I will not put up with that. I will not allow my Olympic athletes to take drugs"?

THE WITNESS: Maybe I was too nice, too human with him.

10 THE COMMISSIONER: Pardon?

THE WITNESS: I was too human probably with him, to give him a chance.

THE COMMISSIONER: You were what, too human?

THE WITNESS: Too human, in this moment.

15 THE COMMISSIONER: Well, you know what happened later.

THE WITNESS: Yes.

THE COMMISSIONER: If you had taken that step in Czechoslovakia, we wouldn't have gone through this ordeal of what when on in Vancouver.

20 Me PROULX: Did you phone anyone in Canada of the Federation, to report the dilemma, the predicament in which you were?

A. I was going back to Canada, so...

Q. Alright, when you arrived in Canada, because  
25 you left the team in Czechoslovakia, did you report in



Canada to anyone, any authority in the Federation, that you had this problem, this human problem, that you had to leave a man at the training camp, Jacques Demers, who had told you that he was using drugs? Did you inform anyone?

5           A.           Of course, I informed.

          Q.           Who? Who did you --

          A.           I talked with the President of the Federation.

          Q.           Who is he?

          A.           Donald Buchanan.

10          Q.           You told Donald Buchanan.

          A.           I spoke to him.

          Q.           In July, 1988.

          A.           When I came back from - it was in August.

15          Q.           August. What did Mr. Buchanan, the President of the Federation, tell you to do? Mr. Kulesza, what did the President tell you?

          A.           The President was very busy with moving to London, in this time. And it supposed to be discussed at the next meeting. This is what --

20          Q.           There was an urgent problem, Mr. Kulesza. There was a team in Czechoslovakia, who was coming very soon to Canada, just before going to Seoul. You knew that an athlete was using drugs. Mr. Buchanan said I cannot tell you anything. I cannot make any recommendations, because I am too busy to travel

25



A. Jacques used something, and I asked him to stop it. He promised that he would do, and he did it. And I found out here that he didn't - after that, that he didn't do that. He was cheated twice.

5 Q. Is it a fact, Mr. Kulesza, that, from Montreal, you called Mr. Zuffellato, the one who replaced you with the team in Czechoslovakia, and you told Mr. Zuffellato to tell the athletes to make sure that they would not bring back steroids in Canada?

10 A. That is correct.

Q. Would you tell the Commissioner why you made that call from Montreal?

15 A. It is one - always when our athletes travel in the past, they always were breaking our regulations with the trafficking of the drugs. And it is not first time that I call, or not first time that somebody sent telex. We were very - after this miserable incident, as Richard Campion described, we even had special policy to check the bags, but it was never implemented. And even we called the  
20 customs.

So, I felt obliged, and always before the trip and after the trip, to inform people, to remind them about our policy. That is the reason.

25 Q. Mr. Kulesza, when Jacques Demers confided this to you, you said you thought that he had brought the drugs



from Canada. You didn't ask him where he brought them.

A. No, I didn't discuss with him, at all.

Q. It didn't cross your mind that Emile could have provided him with drugs?

5 A. No, no.

Q. It never crossed your mind.

A. No.

Q. You didn't talk to Emile about it?

A. No, Emile was not there, in this time. Athletes  
10 were alone.

Q. Now, you then saw Zuffellato. You spoke to him, and then you saw your athletes back from Czechoslovakia, the six (6) of them. Five (5) of them came to Montreal for testing, and one (1) stayed in Vancouver for his test.

15 A. I think it is four (4) of them stayed. One (1) went to Vancouver - two (2) went to Vancouver, I think.

Q. Two (2) went to Vancouver, and four (4) in Montreal, right? And the plan was that after the test in Montreal, you would then all meet in Vancouver for the  
20 final step before the Seoul Games.

A. And in the meantime, one thing happened, which is important. Because when we are talking about Czechoslovakia, Kevin Roy was scheduled for training camp in Vancouver since May. The camp was fixed. And suddenly, he  
25 called me, and he said, "I cannot go the training camp,





because I have important meeting in my job". I said, "Kevin" - he trained alone at home. I didn't have any contact with him, except National Championships.

5 So, I called President, and expressed my concern that cancelling camp for me is - and the moving the testing at the same time one (1) week later, indicates for me there is something wrong in that, that maybe he manipulates with drugs. So, I said simply to President that I don't have evidence, but I suspect there is something wrong with this athlete.

10 And he finally - he has got approval from President he can come to the training camp, and I will evaluate him at the training camp, and qualify him to the team if he is in good shape. Also, this athlete, it was his last contest in Olympic Games. He wanted to retire. And we found out after that, in Seoul, that he tested positive.

Q. Then, Mr. Roy did not go to Vancouver.

A. No, he came to Vancouver. He stayed with us a few days. After, he flew to Seoul.

20 Q. Yes.

A. And in Seoul, we found out that his sample was positive.

Q. But at the training camp, during that week of the 28th of August up to the 3rd --

25 THE COMMISSIONER: You are in Vancouver now?



Me PROULX: Yes. In Vancouver, there was a training camp, right?

A. Yes.

Q. And Mr. Roy was not there, during that first week.

A. No.

Q. Fine. In Vancouver were the six (6) athletes. We don't need to repeat their names.

A. Yes.

Q. It is well-known. And you went with Mr. Zuffellato, right?

A. That's correct.

Q. You lived in the New Westminster Hotel - I'm sorry, you lived in New Westminster.

A. New Westminster, right.

Q. Do you remember the name of the hotel, the Royal --

A. The Royal Hotel.

Q. And I understand the training camp was very close to the hotel.

A. Walking distance, nice place.

Q. You had a room, you shared a room with Mr. Zuffellato.

A. That's correct.

Q. And you started training in Vancouver - I'm



sorry, in New Westminster, on Monday, right?

A. Right.

Q. And I understand, on the Friday, September 2nd, something happened, which I want to question you about.  
5 When did you - who informed you that four (4) of your six (6) athletes, four (4) of them, had to pass a second test?

A. I received call from Claude Ranger.

Q. Fine.

A. Sometimes after --

10 Q. Claude Ranger is the Executive Director of the Federation.

A. Yes.

THE COMMISSIONER: What is the name? I didn't get it.

Me PROULX: Claude Ranger.

15 THE COMMISSIONER: Oh, Ranger, here, he is here.

Me PROULX: Mr. Ranger is here. Claude Ranger called you. Can you specify the time?

A. I believe it was around 1:30, 2:00, afternoon, if I am not - after lunch.

20 Q. I suggest it could be before - it should be before 2:00.

A. I believe sometimes around then.

Q. So, he is the first one, and what did he tell you?

25 A. He told me that four (4) athletes should be



retested.

THE COMMISSIONER: He gave you the names, too.

THE WITNESS: Gave me names.

THE COMMISSIONER: Right.

5 THE WITNESS: Yes.

Me PROULX: Greavette, Bolduc, Demers --

A. Yes.

Q. And Gill.

A. Right.

10 Q. And did he tell you that the reason was that  
their samples were too diluted?

A. I think he mentioned me about that, also.

Q. Now, did he tell you when the testing would be  
done?

15 A. No, he didn't know.

Q. Fine. When you got that call --

THE COMMISSIONER: You said no, he didn't --

THE WITNESS: No, he didn't have idea about test.

THE COMMISSIONER: I see.

20 Me PROULX: When you got that call, were you alone in  
your room?

A. I think so, I was alone.

Q. Then, is it a fact that the next call you got  
was from Dr. Morrell, on behalf of the Sport Medicine  
25 Council of Canada?





A. Sometimes shortly after telephone from Claude.

Q. Alright. Is it a fact that Dr. Morrell then informed you that four (4) athletes had to pass a test?

A. Correct.

5 Q. Is it a fact that Dr. Morrell asked you not to divulge, not to inform the four (4) athletes that they had to pass a test?

A. That's correct.

10 Q. Is that a fact that you agreed with Dr. Morrell not to tell the athletes that they had to pass a test?

A. That's correct.

Q. Was that the end of the conversation?

THE COMMISSIONER: Was he told then when the test was to be?

15 Me PROULX: Or were you told when the test was to be?

A. No, it wasn't end of conversation. Dr. Morrell said --

THE COMMISSIONER: Were you told though when the test was to be, that it was to be the next day?

20 THE WITNESS: No, he couldn't tell me that, because he said, "I don't have a kit, at this moment. And I don't know, it will be sometimes tonight or tomorrow".

THE COMMISSIONER: I see.

THE WITNESS: "And I will call you later on."

25 THE COMMISSIONER: And let you know when.



THE WITNESS: Yes.

THE COMMISSIONER: But in the meantime, not to tell the athletes.

THE WITNESS: Yes.

5 Me PROULX: Did Dr. Morrell also give you the names, the four (4) names?

A. No.

Q. So, only Claude Ranger --

A. I knew the names.

10 Q. I beg your pardon?

A. I knew the names, and he didn't told me.

Q. Now, is it a fact that you did not tell Dr. Morrell that you already knew from Claude Ranger?

15 A. I think I told him that I know, because I received telephone from Claude.

Q. I am asking you, did you tell Dr. Morrell that you had just been told by Claude Ranger that --

A. It's possible. I don't recall. It is possible that I told him.

20 Q. But one thing is sure, is that you agreed with him, Dr. Morrell, that you would not inform the four (4) athletes.

25 A. Oh, this - it is happened first time in my coaching career. Normally, coach is not involved in testing procedure.



Q. I understand.

A. And there are - I know testing procedure during the competitions, and the random testing. It sounded strange, what Dr. Morrell said, because there is no such a testing implemented in Canada, in which you don't notify the people. Anyway, I said I keep it confidential.

Q. You said fine.

A. Yes.

Q. You --

A. I said fine. I didn't feel anything wrong with that, to keep it confidential.

Q. You gave your agreement, okay?

A. Yes.

Q. Now, I understand that, despite your agreement, you told the athletes.

A. At a later time.

Q. Can you tell the Commissioner why you did not further - in other words, you did not go along with what you agreed with Dr. Morrell?

A. Because Dr. - I don't know Dr. Morrell, personally, and probably he represents the Sport Med or different organization. And I wanted to find out if his request is according to the procedure of testing of the athletes in our Federation, because our athletes were subject of the test. And I call Vice-President Administra-



tive in Montreal --

Q. Who is he?

A. Yvon Chouinard.

Q. Mr. Yvon Chouinard, you phoned Mr. Chouinard.

5 A. Yes, to make sure that procedure, which we implemented, is followed. And I received feedback that it is not the acceptable form for our athletes, to test them without any notice. There was no such a testing, so far in Canada, run.

10 Q. You told Mr. Chouinard that you made this undertaking with Dr. Morrell, that you made this agreement with him?

A. Yes, I mentioned about that.

Q. Mr. Chouinard --

15 A. No, I didn't make agreement. He asked me simply if I can keep it confidential. I said yes, at this particular moment. But after discussion --

Q. With Mr. Chouinard.

20 A. Yes, we came to solution that I don't have to keep confidential something which is related my athletes, somebody who is imposing his own procedure, testing procedure, in our Federation. Because, so far, testing done in weightlifting was always according to the procedure in weightlifting.

25 Q. Fine. So, you got the word from Mr. Chouinard





that you could tell your athletes, right?

A. I understood in this way, yes.

Q. Fine. So, then you took on yourself to tell your athletes, right?

5 A. Not right away.

Q. I am not saying right away, but I said you decided then that you would inform your athletes.

A. Yes.

10 Q. Fine. Could you tell the Commissioner which steps did you take to inform your athletes?

15 A. After the training, as I recall - because I called twice Yvon Chouinard. I think the second call was about 5:30, 5:00, 5:30. And we - because the first time when I called, I couldn't reach him. And I called about 5:30, after second session, and we discussed that. So, I decided that I felt it is not necessary for me to keep confidential, which is not according to the procedure. And I call meeting through Raphael. He called the athletes to come to my room.

20 THE COMMISSIONER: You and Raphael?

THE WITNESS: Pardon?

THE COMMISSIONER: You and Raphael?

THE WITNESS: Yes.

25 THE COMMISSIONER: I didn't hear what you said. I wasn't interrupting.



THE WITNESS: Yes, Raphael Zuffellato.

THE COMMISSIONER: Called a meeting of all the athletes.

THE WITNESS: Yes.

THE COMMISSIONER: In your room?

5 THE WITNESS: Yes.

THE COMMISSIONER: And what time? What time would that be?

THE WITNESS: It was about around 5:30.

THE COMMISSIONER: Before the supper hour.

10 THE WITNESS: Yes.

Me PROULX: Now, you are saying that before the training camp of the afternoon, you knew, and that you had decided to inform your athletes. You went --

A. No, I haven't decided, in this moment.

15 Q. When did you decide?

A. I decided - after conversation with Yvon.

Q. When was that conversation?

A. It was after second session, when I came back from the training session, yes. I was confused last time, when we talked.

20 Q. When we talked, you and I --

A. Yes, I was confused.

Q. I don't think that was what you said.

A. No, it is not.

25 Q. No.



A. I was confused.

Q. What was the source of the confusion?

A. I couldn't tell them before, because I waited for the decision of the President. So, after second call, when I reached him, and we discussed it, it was about after second session.

Q. Yes.

A. And we discussed it, and I decided to tell to the athletes, yes, in this moment.

Q. And you asked Raphael to call the meeting?

A. Yes, just by phone, yes.

Q. From where?

A. From the room.

Q. From the room to where?

A. To the others.

Q. You called Raphael?

A. Yes, Raphael called different athletes by the phone.

Q. Raphael called the athletes?

A. Hmm-Hmm.

Q. You would not call the athletes?

A. Usually, no, because he speaks French with them right away, and...

THE COMMISSIONER: I guess you went to your room. When did Raphael know that the athletes had to be tested? Only



when you told him, I guess, later. Raphael, when did he know?

THE WITNESS: Oh, he knew earlier than that, because I knew.

5 THE COMMISSIONER: You told him. You told him, before you told the athletes.

THE WITNESS: Yes, it was confidential, but in relation to the athletes.

THE COMMISSIONER: I understand.

10 THE WITNESS: But we knew between coaches.

THE COMMISSIONER: And then, it is when you got back to the room after the second training session --

THE WITNESS: Yes, I call athletes, and they came.

15 THE COMMISSIONER: And you discussed with Raphael, and he called the athletes for the meeting.

THE WITNESS: Yes.

THE COMMISSIONER: All together.

THE WITNESS: That's correct.

THE COMMISSIONER: Okay.

20 Me PROULX: Mr. Kulesza, you are the one who, at this meeting, who first started to talk. And you then told the athletes that --

A. Yes.

Q. That four (4) of them had to be tested, right?

25 A. That's correct.





Q.           Alright.

A.           I didn't see anything unusual in that.

Q.           Now --

A.           Unusual only that it was a second test.

5           Q.           Were the four (4) athletes present?

A.           I think everybody were present.       I mean  
everybody who were at the hotel, at that time.

Q.           No, no, Mr. Kulesza, I have asked you a very  
specific question.

10          THE COMMISSIONER:   The four (4) athletes, who had to be  
tested, and you had to tell the four (4) athletes.   You  
decided that --

15          THE WITNESS:   No, I didn't - what I understood, when we  
discussed last time, that Guy Greavette was not there, in  
this time.

Me PROULX:   Right.

THE COMMISSIONER:   When did you tell Greavette about his  
- that he had to be tested?   You had to tell him.

THE WITNESS:   Greavette --

20          Me PROULX:   Mr. Kulesza --

THE WITNESS:   Greavette found out - it is a strange  
story with Greavette.

Q.           Mr. Kulesza, before we come to that --

Me SILCOFF:   Let him answer.

25          Me PROULX:   I'm sorry --



Me SILCOFF: Let him answer. You asked him a question, let him answer it.

Me PROULX: Did I interrupt you? Did I interrupt you?

Me Silcoff: No.

5 THE COMMISSIONER: No.

Me PROULX: Mr. Kulesza, I gave to your attorney a copy of notes, which were taken by the two (2) investigators when they met with you in the month of November.

A. Yes.

10 Q. And in these notes, which I gave your attorney a copy, it appears that the following was said by you.

"I called a team meeting, and advised  
the members involved."

15

Do you admit that, at this time, in November, before these hearings started, that you did not tell that Mr. Guy Greavette was not there?

A. No, I didn't tell that.

20 Q. Do you admit that you told these two (2) investigators that you called a meeting, and advised the members involved?

A. That's correct.

25 Q. Now, could you explain to the Commissioner why, today, you are saying that Guy Greavette was not there?



A. It could happen, because Guy Greavette was living at home. And it was Friday. And I believe it is happened that, because I call in from the room meeting. And we trained, and we finished about 5:00. And he probably left from the training room directly to home, or had massage right after training. So, he stayed over there. When we came to hotel, and I called the meeting, I said everybody that were there, but I am not sure - I don't recall that Greavette was there.

10 Q. You don't recall, or you say he was not there?

A. No, he was not there. He was not there.

Q. So, Demers, Bolduc, and Gill were there.

A. Yes.

Q. Côté and Garon were there.

15 A. Yes.

Q. Zuffellato and yourself.

A. Hmm-Hmm.

Q. You told the people there that they had to be tested.

20 A. That's correct.

Q. What was the reaction?

A. Well, depends who.

Q. No, no, but who?

A. The most --

25 THE COMMISSIONER: Just take your time.



THE WITNESS: Explosive was --

THE COMMISSIONER: Just take your time, and tell us what happened. You were there. We weren't.

THE WITNESS: It was panic. Demers and Bolduc, they  
5 were very upset. And Demers said, if I can use such a word, I don't know - "tabernacle", he said. He was very upset.

THE COMMISSIONER: Why?

Me PROULX: Why?

10 A. Because something went wrong.

Q. Did he say why?

A. No, we didn't talk - I knew that something went wrong, if they were reacting this way.

THE COMMISSIONER: What do you mean --

15 THE WITNESS: What?

THE COMMISSIONER: What do you mean? I didn't understand.

THE WITNESS: If you see reaction of athletes, they jump, and --

20 THE COMMISSIONER: You knew why. You knew why. Because you knew that they were on drugs, and couldn't pass the test.

THE WITNESS: No, I could, in this moment, suspect highly that those guys did something.

25 THE COMMISSIONER: Oh, Mr. Kulesza.





Me PROULX: Mr. Kulesza, Mr. Kulesza --

A. Yes.

Q. Did you hear then of a catheter?

A. During the meeting --

5 Q. Yes?

A. There was one (1) word brought --

Q. Yes?

A. At the meeting, which I said this is disgusting,  
unacceptable.

10 Q. Fine. I am saying did you hear anyone suggest-  
ing the use of a catheter?

A. Yes, I heard.

Q. And why, in your knowledge at the time, in  
1988, why do you think we were talking of a catheter, Mr.  
15 Kulesza? To avoid detection, right?

A. This is what I understood.

Q. So, others understood that you had - that they  
had to find a plan to avoid detection, in your presence.

A. No, it wasn't in that way, as you see.

20 THE COMMISSIONER: Well, I'm sorry, what --

THE WITNESS: It was just discussion between - it was  
not - athletes talk.

THE COMMISSIONER: I am positive that --

THE WITNESS: And I think Garon mentioned --

25 THE COMMISSIONER: Excuse me for a minute, I am trying



to understand that.

THE WITNESS: Yes.

THE COMMISSIONER: Because you are the coach. This is four (4) of your six (6) team.

5 THE WITNESS: Yes.

THE COMMISSIONER: Alright, and they have to take the test.

THE WITNESS: They have to.

THE COMMISSIONER: And they panicked.

10 THE WITNESS: Panicked, and they have to go for this, anyway.

THE COMMISSIONER: And you still don't know why. And you didn't know why they were panicking, nothing to do with drugs, or tests, or anything else? Is that what you are saying?

15

THE WITNESS: No, I believe that they were afraid of test.

THE COMMISSIONER: Because they had been taking drugs. They were afraid they couldn't pass.

20 THE WITNESS: It is understandable.

THE COMMISSIONER: Alright.

Me PROULX: So, Mr. Kulesza, in view of these facts, why did you let your athletes going through the test the next day, when they showed you this panic, and you knew that they had taken drugs?

25



A. This is what I discussed with the Vice-President.

Q. Mr. Chouinard?

A. Briefly, I said that our - I mentioned, when we  
5 talked about procedure, because second test, athletes can  
sometimes refuse. This moment, I didn't know about that  
they were taking drugs. But I said what is going to happen  
if athletes refuse second test, because it was not usual,  
this second test.

10 And when Demers and Bolduc, they said - they left room  
quickly, but they said we are going home. But I told  
them, "It is no solution, guys. You go home, and you will  
be suspended like positive, for two (2) years. And you are  
not going to compete in Olympic Games. So, even if you  
15 escape for one (1) week, it doesn't mean that you will go  
to Olympics". So, there was no choice for them; go and  
test. That's all, simple.

Q. But you said, at this point --

A. Or retire from weightlifting.

20 Q. So, you are saying, at this point, that there  
was a brief mention of a catheter, right, but you knew the  
catheter had to be used to avoid detection?

A. No, I didn't know anything about that.

Q. You never heard about a catheter, before?

25 A. I have heard. I told you before, I have heard



about such a things, several years ago.

Q. But you knew that a catheter would be used to inject urine, so that it could help to avoid detection.

A. What do you mean, in this particular case or in general?

Q. In this particular case.

A. No, no.

Q. In general.

A. In general, such a practice probably took place in the past.

Q. Yes.

A. And never been successful, as far as I know.

Q. But you suspected very strongly that these athletes had taken drugs, and that's why they were panicked.

THE COMMISSIONER: Well, he covered that.

THE WITNESS: Yes.

THE COMMISSIONER: He knew they were taking drugs.

Me PROULX: Alright.

A. It is true.

Q. And then, no decision was made then, at the meeting?

A. No.

Q. Alright. And you left the meeting?

A. I left the meeting, because it was, for me,





very critical situation as a coach. And there was not any solution. I disapproved. Somebody mentioned about catheter. This is crazy, absolutely unethical, and crazy. And I left the room.

5 Q. Where did you go?

A. And I didn't - you know, this is situation when you barely control yourself.

Q. Alright.

10 A. And I went to the park, and just - I felt this is the end of my weightlifting.

Q. Did you come back to your room?

15 A. I came shortly, and I pick up the rackets, because I had very nice court close to there. It was nice park. And I spent over there a few hours, playing on the wall, and trying to relax, yes.

Q. Did you come back to your room a second time?

A. I came to sleep after, yes.

Q. During that evening, did you see a cooler in your room?

20 A. A cooler was always in my room. Cooler was always in the room.

Q. The cooler was always in your room. Was it your cooler?

25 A. No, it wasn't mine. I think it was from the hotel, hotel cooler.



THE COMMISSIONER: With ice?

THE WITNESS: With ice, yes, so we could keep soft drinks.

Me PROULX: Soft drinks.

5 A. Yes.

Q. Did you see in this cooler, Mr. Kulesza, two (2) bottles with urine in it?

10 A. No, because after I didn't have to open that cooler. After game, I met friends from the club, and we had a couple of drinks in tennis club.

THE COMMISSIONER: Well, Mr. Zuffellato, he was in the room with you. He shared the room.

THE WITNESS: Yes.

15 THE COMMISSIONER: And he didn't discuss this with you, at all?

THE WITNESS: No, not at all.

Me PROULX: Did you see a sample of his urine in the room --

A. No, I --

20 Q. Excuse me, I just want to finish. You heard him say - he said that he put his urine in a glass, and he left it on the table there.

A. No, I haven't seen.

Q. You didn't see that?

25 A. No.



Q. He had never --

A. I would be very surprised to see urine on the table.

THE COMMISSIONER: Well, he told us about it. You were  
5 here.

THE WITNESS: Yes, I know, but I haven't seen.

Me PROULX: Did he tell you, at any point during the evening Friday, or Saturday morning, at any point, at breakfast, before breakfast, at training, before training,  
10 did Mr. Zuffellato tell you, at any point, that he felt, for human considerations, that he had to provide his sample --

A. No, we never talked about that, you know.

Q. Of his urine?

15 A. And people didn't talk at all, after this meeting. And when I came, he slept, and I --

THE COMMISSIONER: How long did the meeting take, before you went out to the park? The first meeting, when you called the athletes together, how long was the meeting, do  
20 you recall?

THE WITNESS: Oh, it was five (5), seven (7) minutes, not more.

THE COMMISSIONER: Because others, that were there, put you in the room a lot longer than you were there, than you  
25 say. You say Gill and Bolduc --



THE WITNESS: It was short meeting, very short.

THE COMMISSIONER: And Demers. Well, they said it was quite a bit longer.

5 THE WITNESS: I recall that Demers and Bolduc were not there, because Bolduc was very upset, raised his arms, and said, "I cannot understand" --

THE COMMISSIONER: Well, Gill - Gill explained. It was- Gill is the one that brought the urine to your room.

THE WITNESS: I haven't seen anything.

10 THE COMMISSIONER: He seemed to be pretty calm. Everybody described him as sort of a calm fellow.

THE WITNESS: Yes.

15 THE COMMISSIONER: And he described the meeting, and I got the impression, maybe wrong, that he put you in the room a lot longer than you have put yourself there. I could be wrong. He said you were there, when there was a discussion about the catheter.

Me PROULX: Mr. Kulesza, you said to the Commissioner that Greavette was not there at the meeting, right?

20 A. Yes.

Q. You felt it was your duty, contrary to your agreement with Dr. Morrell, you felt it was your duty to inform your athletes. Yes?

A. Yes.

25 Q. Now, when you saw that Mr. Greavette was not at





the meeting, I am sure you became quite anxious to try to reach him.

A. It is logical, but I didn't do that.

Q. Why?

5 A. Because I felt that - because he was coming to the hotel after the dinner, because we were eating a dinner. And probably he drove home; maybe he came after to eat the dinner. I knew that the athletes would tell him, anyway, you know. So, I didn't pay attention for  
10 that, at all.

Q. When you saw him the next morning --

THE COMMISSIONER: Did you see him at dinner that night? Was he at the dinner? Do you have sort of a team dinner?

15 THE WITNESS: No, I didn't eat with the athletes this evening.

THE COMMISSIONER: Well, you said you thought he was coming home, and had dinner Friday night.

THE WITNESS: Sometimes, he used to come to eat with the athletes, so they could pass the message, anyway.

20 THE COMMISSIONER: I see.

Me PROULX: You saw him at breakfast the next morning?

A. Yes, he was there.

Q. You must have gone to talk to Greavette.

A. No, I didn't talk to him.

25 Q. Greavette, you didn't talk to the --



5 A. There was such a scandal the day before with his father, who organized barbecue on Monday. And we had some arguments. And Technical Director, Steve James, from B.C. Association, came, and he took me beside, and we discussed all the problems with this barbecue. So, I didn't stay with the athletes really in this breakfast.

Q. I thought athletes --

A. I met him when we went to train downstairs.

10 Q. I thought all athletes said that you were there at breakfast, with Mr. Zuffellato.

A. I was there, but I was with Steve James.

Q. But since you had not had the occasion then to meet Guy Greavette --

15 A. It didn't pass through my head that he didn't know that. I knew that - I was absolutely convinced that he knew about the test, and even the evening before. So, I was not thinking about that, at all.

20 Q. Now, there was a training session on Saturday morning. And after that, the tests - the four (4) people were submitted to the tests.

A. Yes.

Q. Right? Now, you --

25 THE COMMISSIONER: You are the coach. Did the people, who were going to do the testing, come to you then? Did you know they were there?



THE WITNESS: I received call in the morning, again that it will be about 11:00. I said 11:00, we should finish training about that time. And after, he called once again. He said it will be about 1:00. I said any time you can --

5 THE COMMISSIONER: Well, then, did you tell the athletes that the testing is going to start at 1:00? How would they know?

THE WITNESS: No, they didn't know exactly, because I didn't know exactly.

10 THE COMMISSIONER: No, but you --

THE WITNESS: I didn't know.

THE COMMISSIONER: By this time, you did know. I am not

--

THE WITNESS: I didn't know.

15 THE COMMISSIONER: Well, the man told you around 1:00.

THE WITNESS: He said first 11:00 --

THE COMMISSIONER: Yes, and then about 1:00.

THE WITNESS: He waited for the kits from - he was in the airport. He called me from the airport.

20 THE COMMISSIONER: Well, wouldn't you tell the athletes then when the testing was going to start? How would they know? They are at the training camp. How would they know when the test is going to be?

25 THE WITNESS: No, I told them when I came back from the swimming pool, when doctor arrived, what time, when doctor



arrived.

THE COMMISSIONER: I am just trying to get them to the doping station.

5 THE WITNESS: I stayed at the swimming pool with V.P. Tech, Wes Sullivan, until noon. And I remember Yvon Chouinard came, too. He had just arrived from Montreal. We spent maybe forty (40) minutes at the pool. It was a very nice sunny day.

10 THE COMMISSIONER: No, but who told the athletes when they had --

THE WITNESS: And --

THE COMMISSIONER: Where they had to go, and what time?

15 THE WITNESS: And we came - we were coming back to the hotel, and we met, in the lobby, a doctor who just arrived. And we were going up, and I gave him - I introduced him my room. So, I helped him to move the furniture and everything for the test. And I saw athletes passing, and I said, "Guys, it is time for test", in, I don't know, twenty (20), fifteen (15) --

20 THE COMMISSIONER: Was the cooler still there, the cooler?

THE WITNESS: Maybe, I don't recall if cooler was there or not. We were preparing --

25 Me PROULX: Mr. Kulesza, the doping control room was yours, was your room.





A. Right.

Q. The cooler could not be in your room.

5 A. I didn't pay attention if cooler was there or not, in this particular moment. Because many people came, and I was preoccupied with the different things, to move furniture, to move my luggage to a different room, to move clothes, and everything.

10 Q. Mr. Kulesza, are you aware of the fact that when the doctor, the two (2) doctors, in fact, arrived, Mr. Chouinard was there, and you were present, and the first thing that the doctors required was that the green card be remitted to each of the four (4) athletes?

A. Yes.

15 Q. Do you remember - I'm sorry, I withdraw this word. Do you know that this green card means - I can show it to you if you want, but I am sure - this green card means that it is remitted to the athlete, and this consists of a notice, formal notice, being given to the athlete that he will be tested? And do you remember that Mr. Chouinard said to these doctors that this form did not have to be

20 remitted to the athletes?

25 A. Yes, because such a testing happened during the competitions, when athlete, let's say, finishes event, and must immediately go for doping test. And a special marshall takes - grabs his hand, and is carrying him to the



doping control with a green card. This is a particular competition situation.

Q.           Alright.

A.           And usually with the coach, who signs the  
5           paper.

Q.           Had you informed Mr. Chouinard, at this point,  
before the - out of the presence of the two (2) doctors,  
had you told Mr. Chouinard of what happened the day before  
in your room, at that meeting, that the three (3) boys were  
10           panicked, that you strongly suspected they had taken drugs,  
that they even spoke of a catheter? Had you said that to  
Mr. Chouinard?

A.           No, I didn't say - no.

Q.           Why not?

A.           Those things, like catheter, were not in my  
15           head, at all. What I expected that Jacques Demers and  
Bolduc will go home. I didn't have idea if they would  
come for test or not, in this particular moment.

Q.           My question is if you didn't speak about the  
20           catheter to Mr. Chouinard --

A.           Because I didn't know.

Q.           Did you tell Mr. Chouinard of the meeting you  
had the day before, when --

A.           I said I advised athletes.

Q.           And did you tell Mr. Chouinard that you then  
25



strongly suspected that these athletes had used drugs, because of what transpired, what you were told?

A. Yes, I did. I did said at swimming pool that three (3) guys, four (4) guys has to pass test, and three  
5 (3) guys are very suspicious.

Q. So, you told that to Mr. Chouinard.

A. Yes.

Q. Now, with the doctors, coming back to the doping control room, Mr. Chouinard is there, you are  
10 there, the two (2) doctors, and you insist - I mean the green cards were not given to the athletes, right?

A. I don't know, because I --

Q. Do you remember an objection being raised that these green cards be not given to the athletes?

A. I asked Yvon about that issue, and Yvon was in  
15 charge of conversation after.

Q. Were you made aware, or did you realize that the athletes came almost every twenty (20), twenty-two (22) minutes, one after another?

A. No, I didn't have idea about the way they work.  
20

Q. Were you there?

THE COMMISSIONER: Well, that is quite a time interval.

THE WITNESS: I was --

THE COMMISSIONER: That is quite a time interval between  
25 each of them.





Me PROULX: Do you remember if the doctors, Dr. Morrell for instance, complained about that fact, in your presence?

5 A. I was in doctor room, and I was helping him to set up everything. And he was not ready maybe for half an hour with his stuff, because everything must be put in right place. And finally, when first athletes came, I saw - I think Greavette was coming. So, I said tell to guys to come as quickly as possible, so it will go fast, everything. And he said no problem.

10 And I stayed beside the doctor room, and I watched TV. I was not - I didn't know what was going on, in this time.

Q. At this point, Mr. Commissioner, I think maybe we should adjourn till tomorrow.

THE COMMISSIONER: Tomorrow morning at 10:00?

15 Me PROULX: Thank you.

THE COMMISSIONER: 10:00, tomorrow morning.

--- The hearing is adjourned until February 10, 1989, at 10:00 a.m.

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